San Francisco 8: A Legacy of Torture and Frame-ups
(see page 3)

COMMEMORATOR

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Third Circuit Hears Arguments for New Trial for Mumia

On May 17 the Federal Third Circuit Court of Appeals heard oral arguments in the case of Mumia Abu-Jamal's 1982 conviction and the death sentence he received for the killing of a Philadelphia police officer, Daniel Faulkner. Philadelphia District Attorney Lynne Abraham is appealing the December 2001 ruling by Federal District Court Judge William Yohn, which upheld Mumia's guilty verdict, but overturned his death penalty sentence. Mumia is appealing the guilty verdict itself. The outcome of this hearing will determine whether or not Mumia is granted a new trial, whether he faces a continued life sentence, or if the penalty ruling is overturned, whether a new execution date will be set.

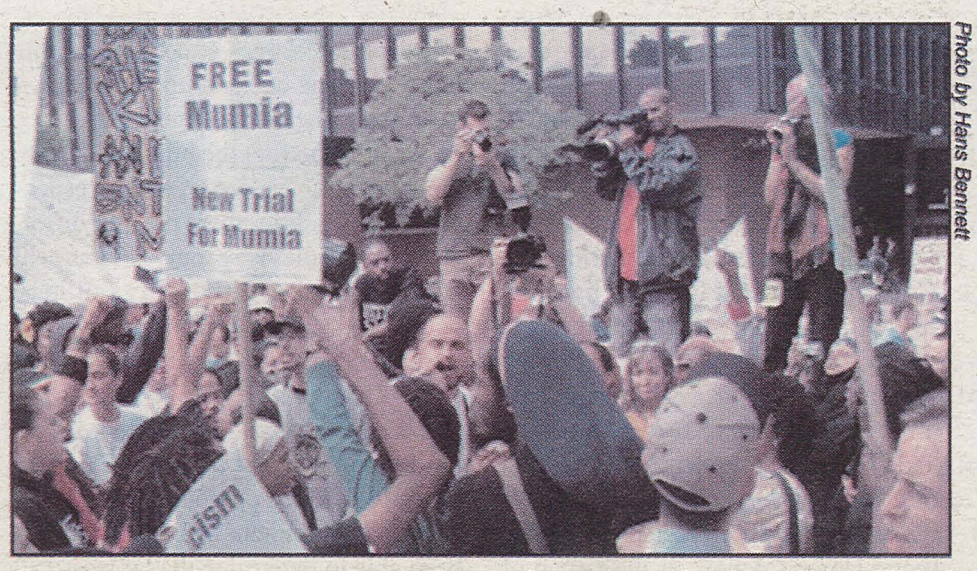

Photo by Hans Bennett

Supporters and members from the press in front the Third Circuit Court in Philadelphia at Mumia's recent May 17 hearing.

Following a March 22 announcement that the Philadelphia District Court would grant the opportunity for oral arguments by Defense Attorney Robert Bryan on May 17 in the matter of Mumia's right to a new trial in the face of evidence submitted by the defense that police suppressed evidence and lied in his first trial, DA Abraham attempted to get every judge on the U.S. Court of Appeals for the Third Circuit disqualified from hearing the arguments for a new trial. On April 13 Bryan filed strong objections to this delaying tactic by Abraham and, on April 20, the Third Circuit Court denied the DA's motion and the oral arguments proceeded as scheduled on May 17. A decision is expected within approximately 60 days following the hearing.

"I think it is still very powerful to spotlight the DA's move to have the Third Circuit Court recuse itself, because it shows the DA is afraid the court may be fair and give Mumia a new trial, if not an outright release like happened with Geronimo Pratt," stated Hans Bennett, a journalist who has been writing and researching on behalf of Mumia for over six years and who has been a volunteer with CCBPP.

In Philadelphia, hundreds of Mumia supporters packed the courtroom while hundreds more showed their support by protesting outside the May 17 hearing. In an unusual move, in addition to the defense's presentation at the hearing, the court allowed the NAACP to present an oral argument on its *amicus curiae* (friend of the court) brief on behalf of Mumia. In addition, the court has requested a transcript of the hearing to review, which is unusual in such proceedings.

In response to the prosecution's presentation, the court questioned the basis of the District Attorney's appeal regarding the death sentence pointing to the unconstitutional instructions the original judge (Judge Sabo) had issued to the jury in the first trial.

On the day after the hearing, Robert Bryan was interviewed on *Democracy Now* radio by commentator Amy Goodman. He reported on his post-hearing discussion with Mumia, who was not allowed to be present at the hearing. Mumia told Bryan, "You know what I want, Robert: people to understand that this is not about me, Mumia Abu-Jamal. This is about everyone on death row around the world. This is about political prisoners around the world. And I hope that, through what the court does in this case, it will help other people."

(See "Tyrants Hate Free Speech" by Hans Bennett on page 4, and an interview with lead defense attorney Robert R. Bryan on page 5.)

All Power to the People

Commemoration Committee for the Black Panther Party Kicks off Membership Drive

CCBPP Photo

Melvin Johnson (left), CCBPP Administrative Assistant, discusses Commemoration Committee weekly organizing campaign with CCBPP Membership Coordinator Ali King at their office.

CCBPP has launched its Membership Reaffirmation Campaign, signing up new and reactivating old members to increase the organization's collective strength to continue building programs that fight the causes of poverty in African American communities as well as oppressed and exploited communities throughout the nation and the world. This is the basis of the CCBPP membership campaign, to bring together people willing to participate in building processes for materially responding to the day-to-day needs of the people, while learning and teaching the principle of revolutionary intercommunalism of the Black Panther Party.

"It takes organization to counter the divide and conquer tactics and misinformation promulgated by the ruling class and its media," said Melvin Dickson, Chairman of CCBPP, "and our communities need organization and leadership, learning the skills of building community based organization. We must have our own means of communication and news dissemination. Of utmost importance, too, is teaching our people how the struggles of brothers and sisters in the developing nations are tied directly to our struggle here. We and they are up against an empire that exploits at home and abroad just as viciously. Studying

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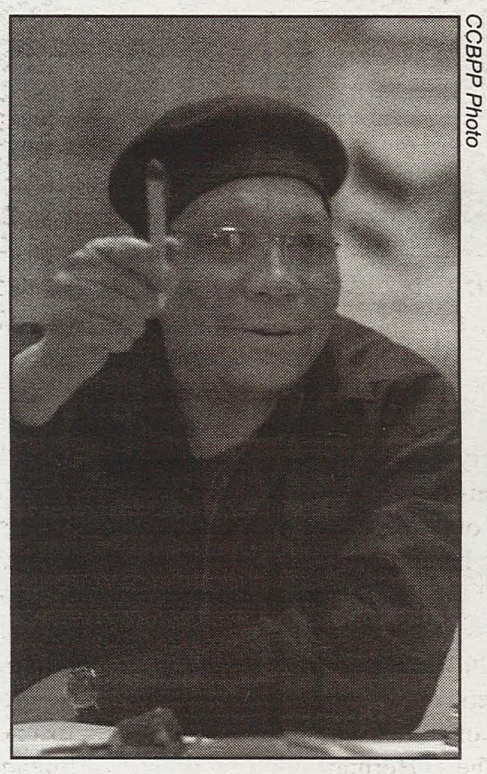
EDITORIAL

Only Systemic Change Will End Wars for Profit



CCBPP Photo

Melvin Dickson, CCBPP Chair and Editor

Many of those who helped engineer, promote and lead the Iraqi war are now pointing fingers of blame, jumping ship, writing books or running for President. While the so-called "debate" about how to end the war is given daily headlines in the media, the class of people with companies profiting immensely from the continuation of this and other wars, both current and in the making, and involved in the "redevelopment" of the now destroyed infrastructure of Iraq, are busy putting in the processes, systems and structures to maximize their ability to continue to profit from their investments and control the region for that purpose. Meanwhile our people, at home and abroad, continue to die as the government and the media put on a display of arguments about timetables for the public.

Before the Invasion, Investments and Build-up Were Set

It is well-documented that even before the "official" public decision to invade Iraq on March 20, 2003, the U.S. executive branch was laying plans to "rebuild" the country after fighting ceased. The U.S. Agency for International Development (AID) asked (secretly at the time, now "disclosed" in mainstream media) six U.S. companies to submit bids for $900 million in government contracts to repair and reconstruct water systems, roads, bridges, schools and hospitals in Iraq — before the invasion had occurred. Those six companies were Bechtel Group, Inc., Fluor Corp., Halliburton Co. subsidiary Kellogg, Brown & Root (KBR), Louis Berger Group, Inc., Parsons Corp. and Washington Group International, Inc. These six companies also contributed a combined $3.6 million in individual, Political Action Committee (PAC) and soft money political campaign donations between 1999 and 2002.

Forty-two percent of that total went to Republicans, and forty-four percent went to Democrats — almost 50-50 when it comes down to it. Bechtel, the engineering giant that had employed on its executive staff the likes of former Defense Secretary Caspar Weinberger, former Secretary of State George Shultz and former CIA Director William Casey before they took their government posts, gave $1.3 million in individual, PAC and soft money contributions between 1999 and 2002. Bechtel was among 24 U.S. companies that also supplied Iraq with weapons during the 1980s when it was at war with Iran, and the U.S. was funding and arming Saddam Hussein.

Kellogg, Brown & Root and their parent company Halliburton (which was headed by Vice President Dick Cheney until 2000, when he advised Bush to take him on as Vice President) was the second-largest "donor" of this group of international monopoly bastions of wealth and power with more than $709,000 in contributions to election campaigns on both sides of the aisle.

The company Fluor, which gave more than $483,000 in individual, PAC and soft money contributions in the previous two election cycles, also has ties to the Defense Department. Kenneth Oscar, the company's vice president of strategy and government services, recently served as the acting assistant Secretary of the Army, where he directed its $35 billion-a-year procurement budget.

The U.S. Army Corps of Engineers awarded Kellogg, Brown & Root (KBR), a sole-source monopoly contract to repair and operate Iraq's oil infrastructure. The contract was awarded in secrecy without any competing bids from other qualified companies. Halliburton charged the government $2.4 billion for its work, and despite a little flurry of investigations by the Defense Contract Audit Agency challenging portions of the bill, the U.S. government paid Halliburton all but a small fraction of it, and continues to pay, as the contracts and bills have, of course, not stopped.

War by Private Contract

While a great deal has now been "exposed" about the extent that this war is being run by private contract, Jeremy Scahill, author of Blackwater U.S.A., who is an investigative reporter for *The Nation*, summed it up well in his testimony May 10, 2007 before the House Appropriations Subcommittee on Defense:

"We are now in the midst of the most privatized war in the history of our country. This is hardly a new phenomenon, but it is one that has greatly accelerated since the launch of the "global war on terror" and the invasion and occupation of Iraq. Many Americans are under the impression that the U.S. currently has about 145,000 active duty troops on the ground in Iraq. What is seldom mentioned is the fact that there are at least 126,000 private personnel deployed alongside the official armed forces. These private forces effectively double the size of the occupation force, largely without the knowledge of the U.S. taxpayers who foot the bill. But despite the similarity in size of these respective forces in Iraq, there are key differences with the way our government approaches the active-duty military and these private war contractors. For instance, we know that nearly 3,400 U.S. soldiers have been killed in Iraq and more than 25,000 wounded. We do not know the exact number of private contractors killed or wounded. Through the U.S. Department of Labor, we have been able to determine that at least 770 contractors had been killed in Iraq as of December 2006 along with at least 7,700 wounded. These casualties are not included in the official death count and help to mask the human costs of the war. More disturbing is what this means for our democracy: at a time when the administration seems unwilling to subject its war strategy to oversight by the Congress, we face the widespread use of private forces seemingly accountable to no effective system of oversight or law."

But, then, he is operating on the assumption that we have a democracy to begin with. That assumption is the most dangerous of all, because until we acknowledge and act on the fact that the very system we are living under, not this specific war, is the underlying problem, we will go through another "anti-war" period like the Vietnam era, and come out of it with the same class and same policies still in power and intact.

"The Rumsfeld Doctrine" is Still in Force — Only the Names and Faces have Changed

The Rumsfeld Doctrine, as it is called in the government and the press, is the Pentagon policy that Rumsfeld installed that emphasized covert actions, sophisticated weapons systems and greater reliance on private contractors. Rumsfeld wrote in the summer of 2002 in an article titled "Transforming the Military," for the journal *Foreign Affairs,* "We must promote a more entrepreneurial

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"SERVING ALL OPPRESSED COMMUNITIES"

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Community Support Growing in Defense of 8 Former Panthers

By Commemorator Staff

In January, eight former Black Panther Party members were rounded-up in California, New York and Florida, then re-arrested on charges related to the 1971 killing of a San Francisco police officer, despite the fact that those charges were dismissed 32 years ago by a judge in California.

The charges of murder and conspiracy, originally brought against the eight Panthers (now called the San Francisco 8) in 1973, were thrown out by a San Francisco judge in 1975 after a federal court ruled that the San Francisco and New Orleans police, who had arrested three of the accused men, interrogated them using torture to extract confessions from them over the course of four days. Their torture included electric shock, cattle prods, beatings, sensory deprivation and putting plastic bags and hot, wet blankets over their faces to simulate asphyxiation.

These men are all now in their late 50's, 60's and 70's. Of the Eight, six men were arrested and charged in January and are being held in jail in San Francisco. Richard Brown, Richard O'Neal, Ray Boudreaux and Hank Jones were arrested in California. Francisco Torres was arrested in Queens, New York. Harold Taylor was arrested in Florida. The additional two men charged — Herman Bell and Jalil Muntaqim — have been held in New York state prisons as political prisoners for over 30 years and both were up for parole this year. Jalil Muntaqim was recently extradited to San Francisco for the hearing, and Bell's extradition is still pending. A ninth man, John Bowman, died in December, 2006. The prosecution is still seeking a tenth man — Ronald Stanley Bridgeforth — who has not been seen for 30 years.

Defense attorneys for the men report that no new evidence has been revealed by the prosecution as the basis for the current arrests; despite that, the court set bail of $3 - $5 million on each of them in January, which constitutes *de facto* "no bail." Defense attorneys are challenging the legality of this whole prosecution. There has been no evidentiary hearing held, as the court is waiting for the extradition of Herman Bell from New York to California.

Jones, Boudreaux, Taylor and Brown, along with John Bowman, who recently died, had appeared voluntarily before a grand jury in 2005, until the line of questions turned into what the men felt was a witch-hunt; the prosecutor was attempting to make connections between the Black Panther Party and the Weather Underground during the 1968-73 period. When they realized they were being set-up and framed, they refused to cooperate further and were imprisoned on contempt of court charges for the duration of the grand jury, another month and a half. These five became known as the "Grand Jury Resisters."

Upon their release, after serving time for contempt of court, they formed the Committee for the Defense of Human Rights (CDHR) and began a community education program and a nationwide speaking tour to tell the story of COINTELPRO and its current activities under the shield of Homeland Security and the Patriot Act.

These new arrests and charges are seen by many as a means of silencing these brothers and a threat to all involved in organizing for community

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Persecuted Panthers

CCBPP Photo

Demonstators' spirits were high and their demands were to release, not only the San Francisco 8, but all political prisoners, including Mumia Abu-Jamal.

By Kiilu Nyasha

Last year, the Black Panther Party celebrated its 40th anniversary, garnering incredible media coverage of its history and the positive impact it had on communities here and around the world. Numerous activities across the country led up to a very successful Oakland reunion that drew Panthers from as far away as Tanzania. One of the most notable events was "The Black Panther Rank and File" exhibit and series of forums at San Francisco's Yerba Buena Center for the Arts. It ran from March 17 to July 2, 2006, and turned out to be the best attended exhibit at the Center since its opening.

Little did we know that the same forces that attacked and destroyed the Party were busy planning still more attacks on its former members. (Note: The BPP no longer exists, but in keeping with our slogan, "once a Panther, always a Panther," I'll not be referring to our brothers as "ex-Panthers.")

Three months after the 40th anniversary celebration, on Jan. 23, 2007, the police in New York, Florida and California arrested Francisco Torres, Harold Taylor, Richard Brown, Richard O'Neal, Ray Boudreaux and Henry Watson Jones on charges related to the 1971 killing of a police officer in Ingleside San Francisco — and also charged two political prisoners, Herman Bell and Jalil Muntaqim (Anthony Bottom) with related charges. They're both parole eligible after over 30 years in prison.

A total of ten brothers would have been arrested had it not been for the fact that one, Ronald Stanley Bridgeforth, has not been seen or heard from in over 30 years and is still being sought. And John Bowman, known as JB, one of the five Grand Jury Resisters, is deceased.

JB died last Dec. 23 of terminal cancer that went undiagnosed by this medical system until in its advanced stage.

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SF 8 Court Update

At the June 20th bail reduction hearing for San Francisco 8 brother Ray Boudreaux, UC Santa Cruz Professor of Social Psychology Craig Haney provided the main testimony. He emphasized that elders like the SF 8 have very little likelihood of being risks for anti-social activity because they have developed social connections and strong community ties. This was in strong contrast to arguments by the prosecutors who argued that the "desperation factor induced by this prosecution" is sufficient to make the men dangerous and flight risks.

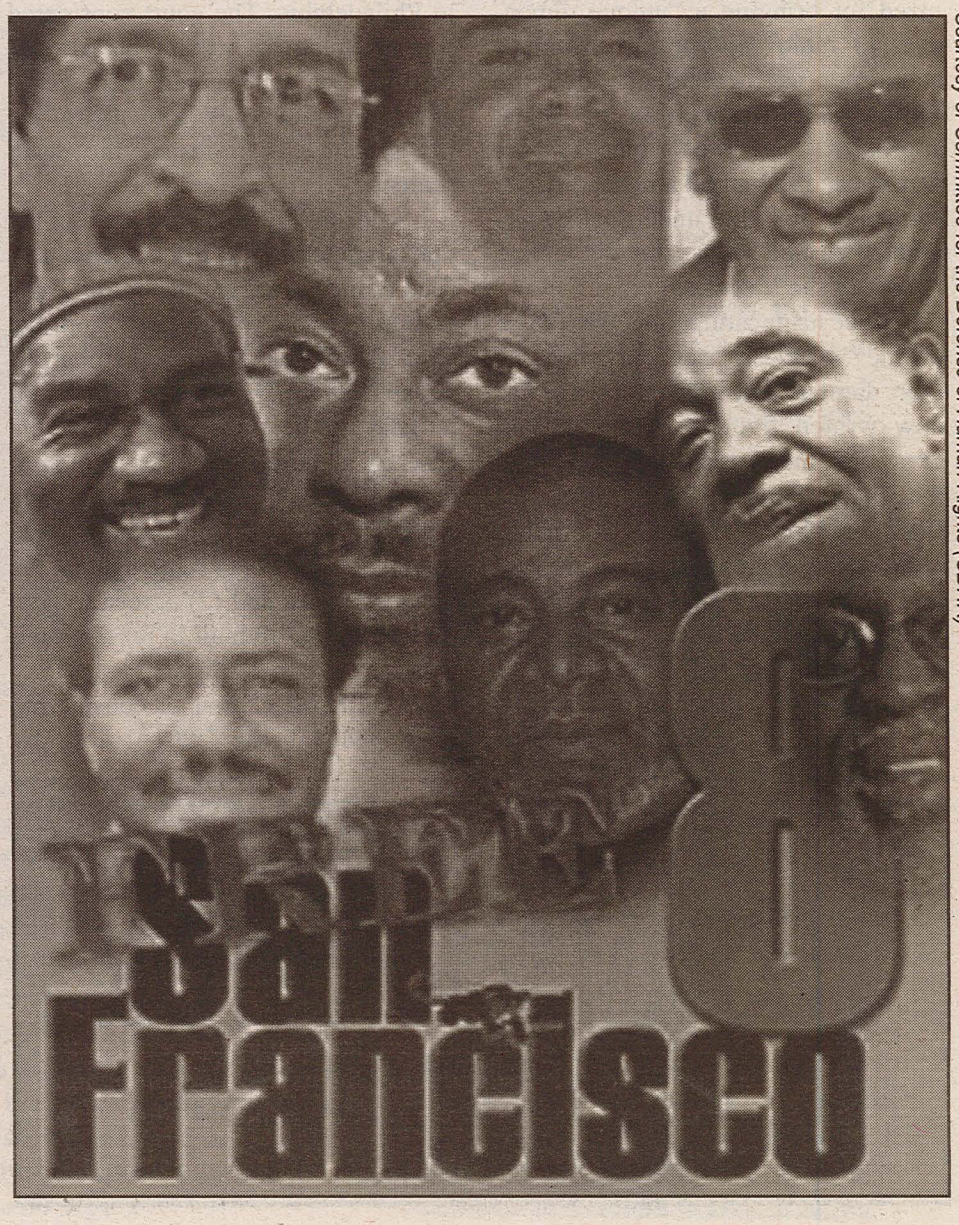
The Medical Director at Alameda County Jail in Santa Rita, Dr. Harold Orr, a personal friend of Ray Boudreaux, testified that Ray is a highly responsible member of his community. Jasmine Jackson, Ray's granddaughter, also spoke of their close relationship.

The defense submitted into evidence the recent documentary, Legacy of Torture, produced by The Freedom Archives, for Judge Moscone to review. The defendants' consistent and voluntary appearances throughout the grand jury proceedings indicate their commitment to fight this case and not flee.

Judge Moscone held a second, very brief hearing on June 21st to deal with a defense motion to seal documents filed by the prosecution that contain statements prejudicial to defense arguments to lower bail. The defense challenge is based on the fact that the documents are inaccurate, open to challenge and may not be admissible later as evidence. Sealing the documents also precludes public access through searching court records.

Bail arguments at the San Francisco Courthouse will not be continued until Monday, August 6th at 9 a.m., because Judge Moscone is leaving on vacation while the brothers will remain in jail.

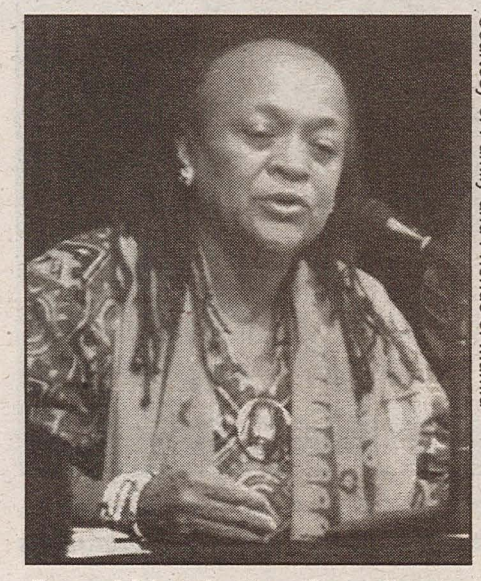
The hearing scheduled for early August will also address court shackling orders. On defense motion, the judge did order that the brothers be partially unshackled so they could take notes during proceedings. Currently the defendants are subject to waist chains, hands cuffed to them and legs cuffed to leg chains, conditions which serve the prosecutor's case by creating the appearance of flight risk.



Courtesy of Committee for the Defense of Human Rights (CDHR)

Mumia Update

Tyrants Hate Free Speech



Courtesy of Family and Friends of Mumia

Pam Africa is the Coordinator of The International Concerned Family and Friends of Mumia Abu-Jamal.

By Hans Bennett

Who is Mumia Abu-Jamal?

Early in his life Mumia was a public advocate of revolutionary political organizing and a harsh critic of the Philadelphia Police Department's white supremacist behavior. At the age of 15 he became the Lieutenant of Information for the Philadelphia chapter of the Black Panther Party (BPP). Besides writing locally for the Philly BPP, he also traveled to Oakland, California to work directly on the national BPP newspaper.

In the years before his arrest, he reported for the nationwide NPR radio station as well as Philadelphia's WHAT, WKDU, WRTI and WPEN stations. In early 1981 Mumia was featured as one of Philadelphia Magazine's "People to Watch," recognized for bringing a "unique dimension to radio reporting." Mumia's standing as President of the Philadelphia Association of Black Journalists at the time of his December 1981 arrest and his obvious sympathy for the underdog everywhere earned him the nickname "Voice of the Voiceless."

Since his incarceration, the "Voice of the Voiceless" has only become more famous and influential. He has now written five books from death row. The most recent is a history of the Black Panther Party, titled We Want Freedom. He records weekly radio essays covering topics as diverse as US military aggression, feminism, popular culture, labor organizing, spirituality, police brutality and the plight of other political prisoners.

Mumia's struggle has become a lightening rod for activists around the world organizing against racism, poverty, corporate media censorship, mass incarceration, political repression and the death penalty. Many supporters see the attempted execution as the ultimate form of state censorship — demonstrating the revolutionary potential of alternative media and the subsequent lengths to which the authorities will go to silence dissent.

Renowned activist Noam Chomsky argues that "Mumia's case is symbolic of something much broader...

"The U.S. prison system is simply class and race war...Mumia and other prisoners are the kind of people that get assassinated by what's called 'social cleansing' in US client states like Colombia."

Mumia's many international supporters now include the Japanese Diet, the European Parliament and members of both the British and German Parliaments.

In 2003 he was declared an honorary citizen of Paris — the first time since Pablo Picasso was similarly honored in the 1970s. In April 2006, the Paris suburb St. Denis named a major street after Abu-Jamal. Located in the Cristino Garcia District of the city (named after an anti-Franco Spanish Republican), Rue Mumia Abu-Jamal leads directly to the largest sports arena in Europe: "Nelson Mandela Stadium."

May 17 Oral Arguments

Many supporters of Abu-Jamal feel that the recent escalation of Fraternal Order of Police (FOP) intimidation tactics was due to the importance of the May 17 oral arguments before the federal Third Circuit Court in Philadelphia. The court considered four different issues that it has already certified for appeal, and then would decide to grant a new trial, affirm the life sentence or re-instate the death sentence.

After the May 17 date was set for oral arguments, the Philadelphia DA filed a motion asking the entire Third Circuit Court to recuse itself from the case. Abu-Jamal's attorney, Robert R. Bryan, felt the DA's move was meant to delay the hearings and to move the case to a more conservative circuit. On April 20, the court responded and ruled in favor of Abu-Jamal in two ways. The court (1) ruled against the recusal request and (2) agreed to give each side one full hour to present their arguments.

The Third Circuit is considering an appeal of the 2001 ruling by

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The Other Army

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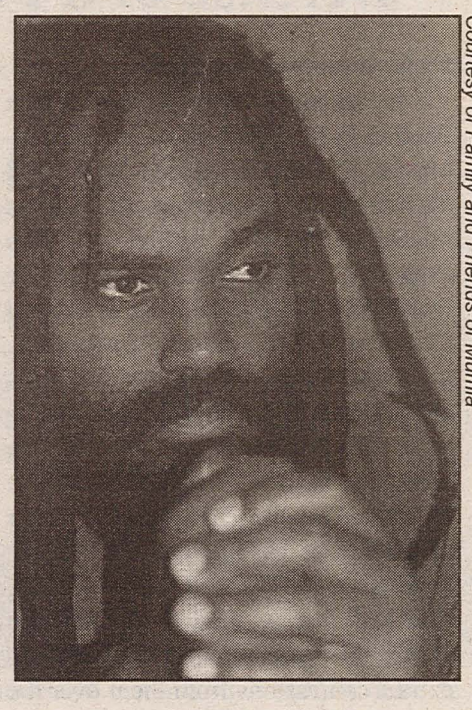

Courtesy of Family and Friends of Mumia

While media pundits and politicians bum rush the mic about President George W. Bush's plans to "surge" U.S. troop forces in Iraq, little is being said about another army there.

By this I refer not to the British, who, as the junior partners in this nefarious occupation, have contributed a significant number of troops to this operation, nor to the other so-called 'coalition of the willing', most of whom have only sent token numbers. I mean the private armies, known best by the term "contractors" — men (mostly) who work for private corporations, who are often heavily armed, and who number some 100,000.

They often wear camouflage fatigues — and many are paid six-figure salaries! Remember the notorious scandal of Abu Ghraib prison? While the fate of 7 low-level soldiers (and one female general) is generally well-known, there is rarely discussion (and rarer still, legal action) on the actions of contractors. Such people played a key role in Abu Ghraib — and play vital roles everyday in Iraq, separate and apart from the U.S. military, or any governmental structure.

In Abu Ghraib, around the exact time of the events that are now infamous and historic, "all" of the interpreters at the prison worked for one-U.S. company — Titan Corporation. At the same time (as of Jan. '04), over one half of all interrogators and analysts worked for a Virginia-based company — CAGI International. As novelist-essayist Joan Didion noted in a recent issue of "The New York Review of Books" there are now, split among more than 150 private firms, thousands of such contracts outstanding. Halliburton alone had by July 2004 contracts worth $11,431,000,000. "Private firms in Iraq have done more than build bases and bridges and prisons.

"They have done more than handle meals and laundry and transportation. They train Iraqi forces. They manage security. Contract interrogators from two firms, CAGI International (according to its web site 'a world leader in providing timely solutions to the intelligence community') and Titan ('a leading provider of comprehensive information and communications products, solutions, and services for National Security'), were accused of abuses at Abu Ghraib, where almost half of all interrogators and analysts were CAGI employees. They operate free of oversight. They distance the process of interrogation from the citizens in whose name, or in whose "defense," or to ensure whose "security," the interrogation is being conducted. They offer 'timely solutions.'" [Fr.: Joan Didion, "Cheney: The Fatal Touch," "The New York Review of Books", October 5, 2006, p. 56.]

More than any other war in U.S. history, big companies are making big bucks by privatization of almost everything. Indeed, in a very real sense, it can be said that even torture was privatized — as shown by the allegation that Abu Hamid, a Titan employee, hired to do interpreting at Abu Ghraib, reportedly raped a 15-year old boy there. Titan held contracts worth an estimated $657 million.

CAGI had contracts in the tens of millions, at least. Speaking of Halliburton (where Vice President Dick Cheney was CEO), it proceeded to run up so many bills that it overcharged the U.S. government by more than $1 billion! "One Billion!" Halliburton, by the way, provided U.S. service members with contaminated drinking water — and charged Army folks $99 to wash their laundry — and didn't get it clean!

No matter what Bush ultimately decides, a private army continues to roam Iraq, answerable only to their bosses. Armed to the teeth, they are a private army for business. Who says war is bad for business?

All Power to the People

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Is the Philadelphia D.A. Afraid the Third Circuit Will Grant a New Trial?

By Journalists for Mumia

Editor's Note: Robert Bryan is Mumia's lead legal counselor.

Introduction
by Hans Bennett

As reported in two recent Associated Press articles, the Philadelphia District Attorney has filed a motion asking the entire Third U.S. Circuit Court of Appeals to recuse itself from black death-row journalist Mumia Abu-Jamal's case on grounds that Governor Ed Rendell, whose wife serves on the court, was district attorney during Abu-Jamal's 1982 trial. The DA argues that if the court rules unfavorably for Abu-Jamal, the defendant could then argue that the ruling was a result of bias from the court and, as the Associated Press wrote, the DA allegedly "wants to leave Abu-Jamal no grounds for any future appeal."

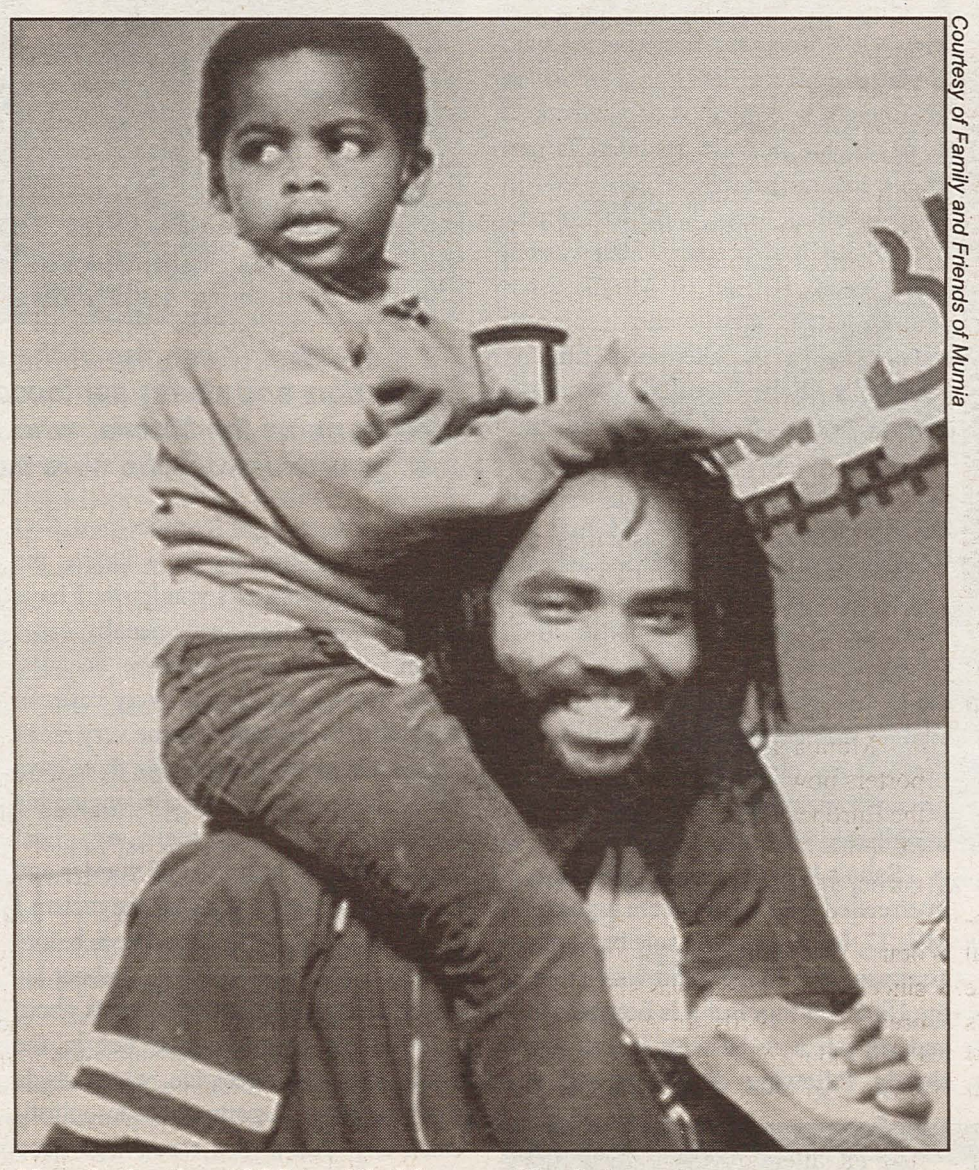
This request followed the March 22 announcement that Abu-Jamal would have oral arguments in Philadelphia that took place on May 17, where the court considered four different issues that have already been certified for appeal. Supporters organized a mass-demonstration in Philadelphia on May 17 and many felt that the DA's request was actually designed 1) to delay the oral arguments and 2) to move Abu-Jamal's case to a more conservative circuit that will be less sympathetic to the issues being presented for a new trial.

Abu-Jamal's lead Attorney, Robert R. Bryan, strongly opposed this move by the District Attorney and filed his response with the court on April 13. In this interview (conducted on April 16), Bryan responded to this recent move from the DA and provided background on the issues considered on May 17.

San Francisco attorney Robert R. Bryan has appeared as chief counsel in numerous murder cases and specializes in death-penalty litigation. He is a member of the bar of the United States Supreme Court, California, New York, Alabama, various federal courts, and is the former Chair of the National Coalition to Abolish the Death Penalty, Washington, DC.

Mumia Abu-Jamal first began writing to Bryan in 1986 and in 1991 formally asked Bryan to take his case. The attorney had to decline at that time due to a full schedule of other capital case commitments. In 2003 Mr. Bryan was again approached and finally agreed to become lead counsel for Abu-Jamal.

Abu-Jamal News: Last week, you filed a response to the DA's request to have the Third Circuit Court recuse itself? What's this all about?



Courtesy of Family and Friends of Mumia

Mumia in the 1980s with his son Mazi Jamal.

Robert R. Bryan: I was surprised that the Philadelphia District Attorney actually asked for the disqualification of every judge on the U.S. Court of Appeals for the Third Circuit. This seems really over the top. On Friday, April 13, I filed a response aggressively opposing this effort by the DA. One of my concerns is that the prosecution will not be allowed to use this ploy to delay oral argument, which is set for May 17.

Mumia has been locked up for over a quarter of a century and on death row for twenty-four years. This day for oral arguments has been a long time coming and we do not want justice delayed. That is the bottom line. Also, I feel that this court can be fair. The grounds presented by the DA for disqualification of every judge are baseless and absurd.

I have been doing death penalty work for three decades and this is a novel approach. Of course, in some cases a judge might not be fair and must be disqualified. An example would be when I reopened in New Jersey the Hauptmann-Lindbergh Trial of the Century on behalf of Anna Hauptmann, the widow of Richard Hauptmann. He was executed in 1936 for the kidnap-murder of Charles A. Lindbergh, Jr.; that was long before I was born. In the 1980s I uncovered evidence suppressed by the government establishing that Mr. Hauptmann was, in fact, innocent. We were litigating the case in the U.S. District Court, Newark. I asked for the recusal of the judge assigned to the case in the belief he could not be fair because his father had been involved in the initial 1932 Lindbergh kidnap investigation as a police chief.

Recusal is statutorily required where a judge has a personal bias or prejudice concerning a party, or personal knowledge of disputed facts, or where there is the appearance of impropriety. However, I do not see those conditions in the case of Mumia Abu-Jamal, where the DA wants to disqualify not just one judge, but rather the entire court.

AJN: Has the three-judge panel even been selected yet?

Bryan: No. We do not at this point know who the three judges will be to hear and decide the case. For the District Attorney to be asking for disqualification under the circumstances seems absurd.

AJN: In December, 2005, the U.S. Court of Appeals shocked many by agreeing to consider two claims not "certified for appeal" by Judge Yohn in 2001. Do you think the DA is threatened by the Third Circuit because they may fairly consider the issues and grant your client a new trial?

Bryan: The prosecution seems intent on doing just about anything to avoid that result: a new trial not riddled with racism. The DA's efforts seem not only for the purpose of delaying the May 17 oral argument, but are also a transparent attempt to maneuver the case into being heard by really conservative judges from other circuits. This court, the Third Circuit, has a reputation for being fair and evenhanded, much more than some of the other courts. That is all Mumia and I want — fairness.

The United States is divided into different circuits. This particular circuit is known for being just, particularly when there have been constitutional abuses; and it has been willing to grant relief. It is clear what the DA is trying to do. The prosecution wants Mumia's case out of the Third Circuit and heard instead by judges from elsewhere who are more conservative and less concerned about constitutional violations, particularly with death penalty cases such as this.

A word of caution. Being in the Third Circuit certainly does not guarantee a favorable outcome. What Mumia and I want is that his case be fairly heard and adjudged. If that occurs then we have a good chance of being granted a new trial, since the constitutional violations are so egregious. Racism and unfairness are threads that have run through this case since the beginning.

AJN: In 2003 a state court ruled against considering court stenographer Terry Maurer-Carter's affidavit. Since this time, have you been able to include her affidavit in the current federal appeal, despite the state ruling?

Bryan: Ms. Maurer-Carter came forward in August, 2001 with startling

Continued on page 6

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D.A. Afraid?

Continued from page 5

new evidence. She revealed that during the 1982 trial she overheard Judge Albert Sabo state, in reference to Mumia, that he was going to help "fry the nigger." Her sworn declaration was immediately filed in the U.S. District Court. Three weeks later on September 17, 2001, a motion was filed federally in an effort to expand the judicial bias claim, contending that the newly discovered evidence established the judge "was racially prejudiced" against Mumia. The evidence also was submitted to the state court, and then as part of a petition I filed March 8, 2004 in the United States Supreme Court. The issue we presented was whether it is permissible under the Fifth, Sixth and Fourteenth Amendments for a judge to preside over a capital murder trial in which he was overheard stating in reference to the accused that he was going to help "fry the nigger." Just quoting those horrible words of Judge Sabo sends chills down my spine.

AJN: You have included her statement in your current Third Circuit appeal, in particular regarding the fourth issue being considered: Judge Sabo's unfairness at the 1995 PCRA evidentiary hearings.

Bryan: Yes. We have four issues in this case and this one concerns Judge Sabo's bias, not at the 1982 trial, but during the 1995 post-conviction (PCRA) evidentiary hearing. I am stuck with that limitation since the lawyers previously on the case did not, as a matter of law, accuse Judge Sabo of bias at the trial. The judge who was deciding whether or not to grant a new trial in 1995 was the same person who presided over the 1982 trial in which my client was convicted and sentenced to death. Judge Yohn assumed as part of his federal rulings in 2001, that in denying relief Judge Sabo was impartial and fair. Now we know that was not true. When it came to Mumia Abu-Jamal, Judge Sabo made a bigoted remark that he was intent on seeing my client "fry," to be executed. The constitutional principles of due process, fundamental fairness and equal protection of the law had taken a holiday from his courtroom. As you know, Mumia has been on death row ever since the trial.

Aside from the numerous violations of my client's constitutional rights detailed in our briefs, we also have this evidence that Judge Sabo said he was going to help the prosecution kill my client, referring to him in the most racist and despicable manner imaginable.

Sabo's "fry the nigger" comment is interrelated with what we are arguing on May 17, but it is not the sole basis of the argument that Judge Sabo was unfair at the 1995 hearing. But it is now part of it and we put it in because it was raised shortly following discovery and was presented to the U.S. District Court. So I feel it is legitimately there before the Court of Appeals. As you know, I have litigated numerous death penalty cases around the country for three decades. Back when I was trying many cases in the South, I went before some very racist judges. One even jailed me for three days for contempt of court for challenging his racism and bias. Incidentally, my client was cleared — acquitted of murder and all related charges. With all the racism I have witnessed, never have I been before someone who was so arrogant about his or her racism as to just openly talk about it. Mumia's case occurred not in the South, but in Philadelphia, which, aside from the police department, is a sophisticated city. Yet, in this case Judge Sabo refers to Mumia as a "nigger" and boasts about helping the prosecution ensure that he is executed. This is the big gorilla in the room that must be addressed; it cannot be ignored.

Courtesy of Family and Friends of Mumia

After the May 17 hearing in the case of Mumia Abu-Jamal's 1982 conviction and death sentence. MOVE children demonstrated their support for Mumia, who always came to the defense of their grandparents who were framed in 1978 by the government.

AJN: It's remarkable that Judge Pamela Dembe ruled in 2001 that even if Maurer-Carter was correct, it simply does not matter. She said that since it "was a jury trial, as long as the presiding judge's rulings were legally correct, claims as to what might have motivated or animated those rulings are not relevant."

Bryan: I feel that, as a matter of law, Judge Dembe was wrong and of course, rejecting that, she employed faulty judgment. The subsequent ruling by the Pennsylvania Supreme Court, which I took to the United State Supreme Court, was likewise based upon illogical reasoning. Nevertheless, as I mentioned earlier, this issue was also presented during the same period in the U.S. District Court. The sworn declaration of Terri Maurer-Carter was promptly filed federally.

It is interesting that Ms. Maurer-Carter's husband was a police officer and she an official court stenographer who has received awards for excellence for her court-reporting work. She is just a normal person, not political, but what Ms. Maurer-Carter overheard really bothered her. I have great respect for her, that she had the courage to come forward with this information. Ms. Maurer-Carter could have remained silent and stayed out of this and she and her family would certainly feel safer at night.

AJN: Do you have an estimate of you how long it will take for the Third Circuit Court to make the ruling on a new trial?

Bryan: It is difficult to say. The court has a goal of having an internal draft decision within 60 days following assignment or all supplemental briefing. Yet, if a judge on the panel wishes to concur or dissent, he or she should submit the opinion within 45 days after a second judge's approval of the majority decision. These are only

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Huey Newton Talks to *The Movement*

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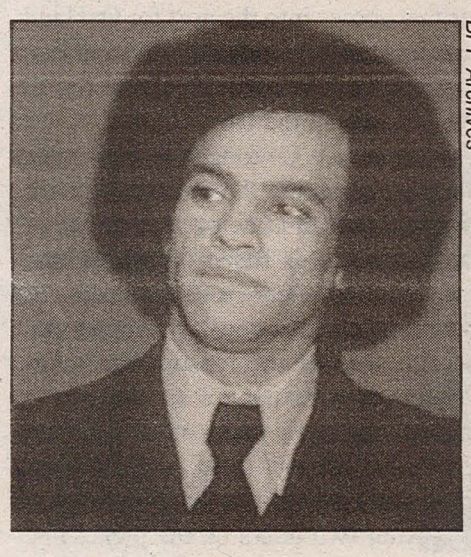

BPP Archives

Editors note: The Movement *was published as a Source Book on political activism in the 1960s by writers and journalists at Wayne State Univerisity.*

THE MOVEMENT: The question of nationalism is a vital one in the black movement today. Some have made a distinction between cultural nationalism and revolutionary nationalism. Would you comment on the differences and give us your views?

HUEY P. NEWTON: There are two kinds of nationalism, revolutionary nationalism and reactionary nationalism. Revolutionary nationalism is first dependent upon a people's revolution with the end goal being the people in power. Therefore to be a revolutionary nationalist you would by necessity have to be a socialist. If you are a reactionary nationalist you are not a socialist and your end goal is the oppression of the people.

Cultural nationalism, or pork chop nationalism, as I sometimes call it, is basically a problem of having the wrong political perspective. It seems to be a reaction instead of responding to political oppression. The cultural nationalists are concerned with returning to the old African culture and thereby regaining their identity and freedom. In other words, they feel that the African culture will automatically bring political freedom. Many times cultural nationalists fall into line as reactionary nationalists.

Papa Doc in Haiti is an excellent example of reactionary nationalism. He oppresses the people but he does promote the African culture. He's against anything other than black, which on the surface seems very good, but for him it is only to mislead the people. He merely kicked out the racists and replaced them with himself as the oppressor. Many of the nationalists in this country seem to desire the same ends.

The Black Panther Party, which is a revolutionary group of black people, realizes that we have to have an identity. We have to realize our black heritage in order to give us strength to move on and progress. But as far as returning to the Old African culture, it's unnecessary and it's not advantageous in many respects. We believe that cul-

Continued on page 15

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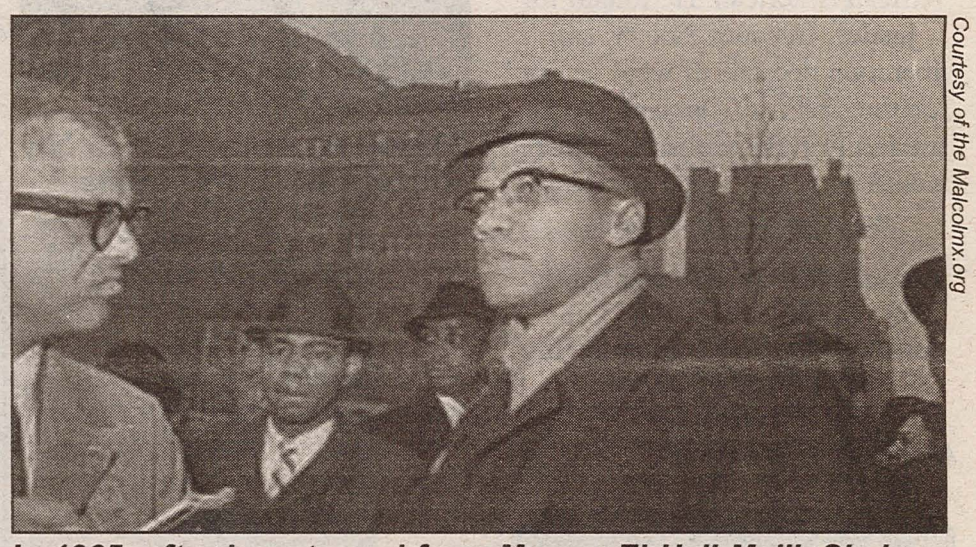
Excerpt From Malcolm X's Last Speech



Courtesy of the Malcolmx.org

In 1965, after he returned from Mecca, El Hajj Malik Shabazz (Malcolm X) advocated revolutionary nationalism as distinct from cultural nationalism.

Excerpt from Malcolm X's Last Speech

February 14, 1965

When I was in Africa in May, I noticed a tendency on the part of the Afro-Americans to, what I call, lolly-gag. Everybody else who was over there, had something on the ball, something they were doing, something constructive. For instance, in Ghana, just to take Ghana as an example, there would be many refugees in Ghana from South Africa. But those who were in Ghana were organized and were serving as pressure groups, some were training for military — some were being trained in how to be soldiers, but others were involved as a pressure group or lobby group to let the people of Ghana never forget what's happening to the brothers in South Africa.

Also you'd have brothers there from Angola and Mozambique, but all of the Africans who were exiles from their particular country and would be in a place like Ghana or Tanganyika, now Tanzania. They would be training. Their every move would still be designed to offset what was happening to their people back home where they had left.

The only difference on the continent was the American Negro. Those who were over there weren't even thinking about those over here. This was the basic difference. The Africans, when they escaped from their respective countries that were still colonized, they didn't try and run away from the problem. But as soon as they got where they were going, they then began to organize into pressure groups to get governmental support at the international level against the injustices they were experiencing back home.

And as I said, the American Negro, or the Afro-American, who was in these various countries, some working for this government, some working for that government, some just in business — they were just socializing, they had turned their back on the cause over here, they were partying, you know. And when I went through one country in particular, I heard a lot of their complaints and I didn't make any move on them.

But when I went to another country, I found the Afro-Americans there were making the same complaints. So we sat down and talked and we organized a branch in this particular country, a branch of the OAAU, Organization of Afro-American Unity. That one was the only one in existence at that time. Then during the summer, when I went back to Africa, I was able in each country that I visited, to get the Afro-American community together and organize them and make them aware of their responsibility to those of us who are still in the Lion's den.

But since the French government and the British government and this government here, the United States, know that I have been almost fanatically stressing the importance of the Afro-American uniting with the African and working as a coalition, especially in areas that are of mutual benefit to all of us. And the governments in these different places were frightened because they know that the Black revolution that's taking place outside their house.

And I might point out right here that colonialism or imperialism, as the slave system of the West is called, is not something that's just confined to England or France or the United States. But the interests in this country are in cahoots with the interests in France and the interests in Britain. It's one huge complex or combine, and it creates what's known as not the American power structure or the French power structure, but it's an international power structure. And this international power structure is used to suppress the masses of dark-skinned people all over the world and exploit them of their natural resources.

So that the era in which you and I have been living during the past ten years most specifically has witnessed

Continued on page 17

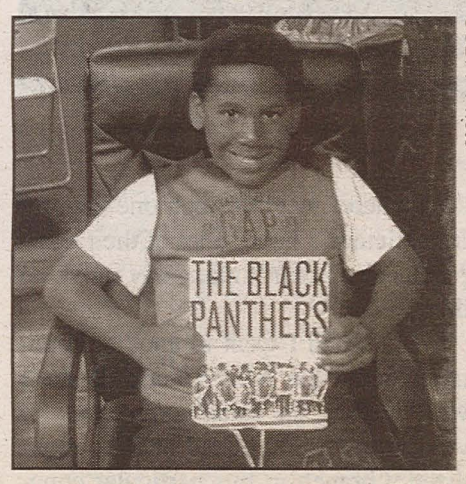
Kids Corner

Reflections on Little Bobby Hutton

By Donzell Marshall
(11 years old)

Little Bobby Hutton was a great African American. He fought for justice, freedom, liberty, and liberation because of what he saw on the streets of Oakland. So he tried to stop the violence so there would be peace on the streets and no more police brutality.

Respect your friends and family, by making change in your community, and remembering all of your history.
P.E.A.C.E.
All Power to the People



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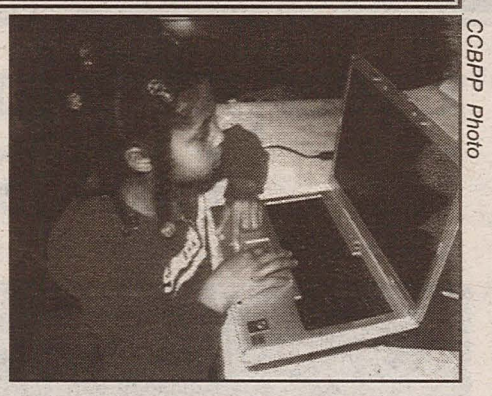
Li'l Bobby Hutton Literacy Campaign member, Donzell learns about the history of the BPP and the life of Bobby Hutton, with great enthusiasm.

Little Bobby Hutton

By Daris Marshall (7 years old)

Little Bobby Hutton fought for Justice and Liberation.
He is important to me because he helped his people. He joined the B.P.P.
All Power to the People



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Shakila attends the Li'l Bobby Hutton Literacy sessions.

Shakila's Day

By Shakila

On the spring day when I wake up in the morning I hear the birds singing in the big brown tree. I hear the blue-green birds' song of nature.

When I look out my window I see my friends playing ball outside. I yell their names, "Amber, Alon, here I come."

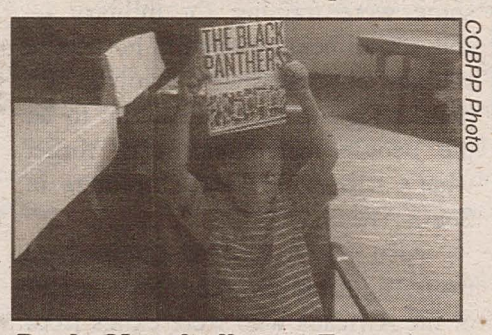
I noticed that it was sunny outside. So I wore a skirt and a short-sleeved shirt. When I get outside I can smell the laundry soap in the air.

When I walk I see a beautiful butterfly in the air. The butterfly is an orange and black monarch butterfly.

When I get to Amber and Alon we play wall ball.

That's Shakila's day.

All Power to the People



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Daris Marshall, age 7

Letter to the Editor

Evening Community Picket Again Shuts Down Oakland Port

Dear Editor,

For the second time this Saturday, Longshoremen honored an anti-war community picket line at the Stevedoring Services of America (SSA) Terminal in the Port of Oakland. Three ships sat at the (SSA) docks and cargo did not move.

The picket line, which swelled as the morning went on, was manned by a large number of teachers and leaders of the Oakland Education Association (OEA). They were not only angry about the war and the role of the port companies who are profiting from the war, but that these same companies, i.e. SSA, also run privatized docks in Iraq.

They were also picketing to protest the fact that West Oakland students who live next to the port have some of the worst conditions in the school district, including poorly maintained sanitary facilities, equipment and supplies. Meanwhile, the Port of Oakland has an income of $38 billion a year. OEA president Betty Olsen Jones pointed out that while Oakland is making tremendous income from the Port operations and could help provide funding for the schools, they refuse to contribute.

As a result of the crisis in the schools, the state has taken them over in a trusteeship and is rushing full speed ahead to privatize the schools with charters. Such schools include a military charter set up by former mayor and now California Attorney General Jerry Brown. Many of the Black longshore workers were angry that the Black community in Oakland is not benefiting from the massive income the port is making. The Oakland Education Association is also supporting a $20 tax on each container that comes into the port for Oakland schools so the education system can benefit from being home to the fourth largest port in the US.

One ILWU longshoreman said that he supported the protesters and it was not just an issue of the war but of a system that is based on profits that will not take care of the needs of working people here or around the world. One of the reasons the longshoreman also agreed to honor the picket line, lay in anger at the Oakland police attack on them and anti-war protesters on April 7, 2003.

After two hours on the picket line and a ruling that this was not a health and safety issue by the International Longshore and Warehouse Union Pacific Maritime Association arbitrator, the company sent nearly 150 workers home without pay. Picketing also continued on the night shift and similar action was taken by the longshore workers not to cross the picket line. They announced that one of the reasons they would not be crossing the line was the vicious police attack on anti-war protesters and longshoremen in 2003.

This action has significant lessons for successful workers' actions against the war nationally and internationally.

Jeff Patterson

All Power to the People

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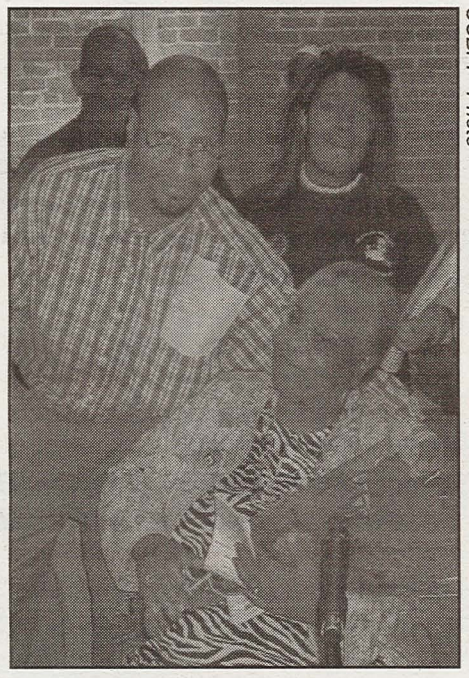
International Update

A Dedication to Annette "So An" Augusta and the Resistance in Haiti

By Kana Carlisle

March 3, 2007: Members of the Commemoration Committee for the Black Panther Party were among hundreds who welcomed internationally celebrated Annette "So An" Augusta to the East Bay following her release from a Haitian jail with the support of the Haitian masses, after being held in captivity for two years. Along with the increasing number of Haitians who demanded So An's release, an increasing number of Haitians and their international friends have also demanded the withdrawal of the United Nations military occupying forces, headed by the United States, Brazil, France and Canada.

So An was among the targeted leaders arrested by U.S. Marines on Mothers' Day in May 2004 during a U.S.-backed *coup d'etat,* which violently forced democratically elected President Jean-Bertrand Aristide from power. Thousands of Aristide supporters and members of the Fanni Lavalas Party were murdered, arrested and driven underground in the coup.



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So An is presented with a bouquet of red roses to welcome her to the Bay Area by Melvin Johnson (2nd from left) and Kana Carlisle on behalf of Commemoration Committee for the Black Panther Party's Staff and volunteers.

So An is one of Haiti's most influential singers and activists. She recently visited Oakland, California as the guest of honor on behalf of the Bay Area Haiti Action Committee. The event was called "A Celebration of Resistance" and was hosted by The Uptown, a new venue located in downtown Oakland. The program began with So An, seated up front, listening while Vukani Mawethu Choir sang a special welcoming song for her and the enthusiastic audience.

Then Pierre Labossier, the respected Haitian American activist and a leader of the Haiti Action Committee, offered a moving introduction of So An to the assembled crowd. He started by telling the story of when he first heard her speak in New York City, over 25 years ago. "The sister inspired me; she enlightened me to the politics of resistance in Haiti."

While So An spoke in Haitian Creole, Labossier interpreted her moving speech, telling the story of the current violent repression against the determined Haitian people and their persistent efforts to end the violence of the U.S./UN military occupation.

So An moved the audience with her rich and powerful voice, funky dancing, and finally her singing and her profound message that demands justice and peace.

So An's strength comes from a legacy of resistance in Haiti dating back to the African Revolution movement in Santo Domingo (now called Haiti), led by stalwarts such as Toussaint L'Ouverture. Haiti is undoubtedly the birthplace of Revolution in the West — having fought for its liberation from France and freedom from enslavement. After winning their independence from Napoleon's France in 1804, the French government forced Haiti to pay France 150 million francs (which today would be equivalent to many billions of U.S. dollars) in order to raise the military blockade, which made trade nearly impossible. Despite Haiti's victory over the world's most powerful military and colonial force of the time, France continues to uphold its policy to economically isolate Haiti through debt.

The spirit of resistance has always been a part of Haitian culture and So An represents this same spirit. According to So An, death squads and military invasions cannot silence the voices of Haitian opposition to the

Continued on page 17

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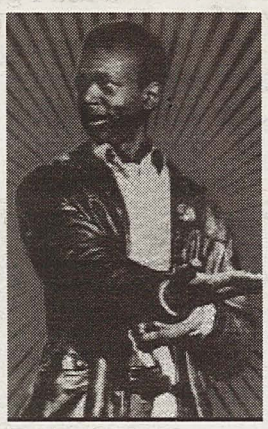

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WHEN: August 4, 2007

TIME: 6:00 pm to 8:00 pm

WHERE:
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Door Prize

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Emory Douglas
(Author: *Black Panther Revolutionary Art)*
Music, Food, Tutors and Students from the Li'l Bobby Hutton Literacy Campaign. Suggested donation $10
(No one will be turned away/first come, first served.)

Contact Melvin Johnson
510-652-7170

Feature Speaker:
Melvin Dickson
(Editor, *COMMEMORATOR* newspaper)
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Black History Labor College Celebration Sends Out Strong Call for Organization

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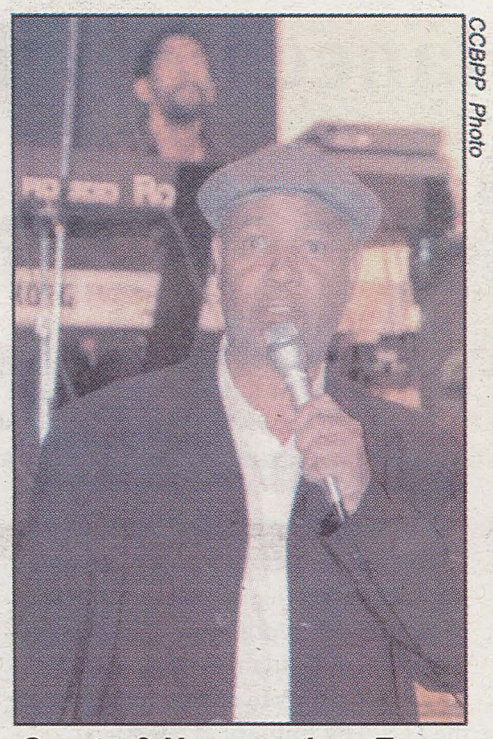
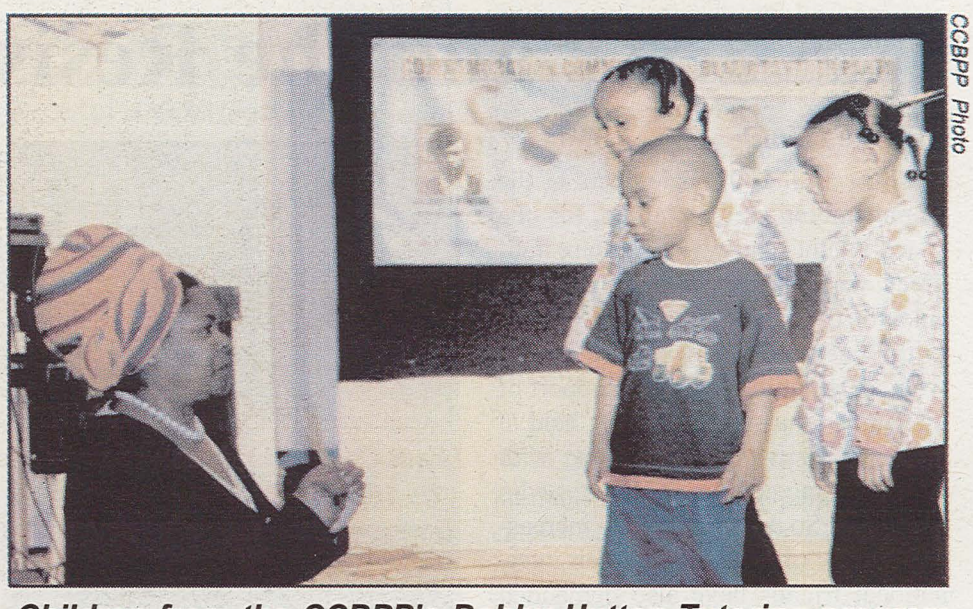
Longshoreman Clarence Thomas of the San Francisco ILWU (Local 10) was the featured speaker.



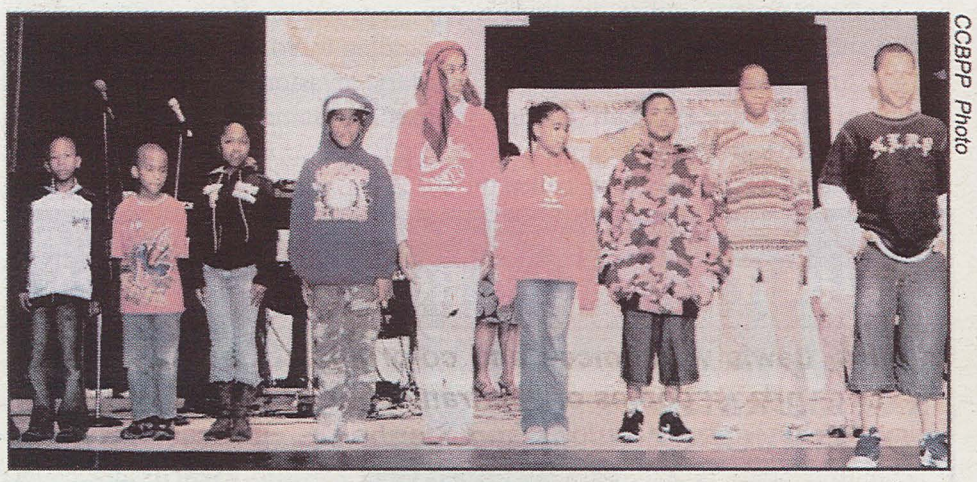
CCBPP Photo

Guest of Honor author, Emory Douglas autographed his new book **Black Panther.**



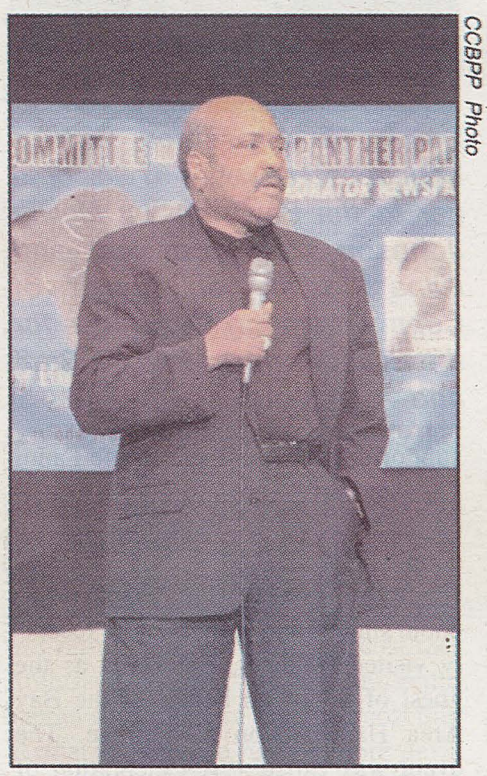
CCBPP Photo

Children from the CCBPP's Bobby Hutton Tutoring program received instruction from Patricia Karim, their tutor.



CCBPP Photo

Students recite the Ten-Point Program of the Black Panther Program as part of their presentation.



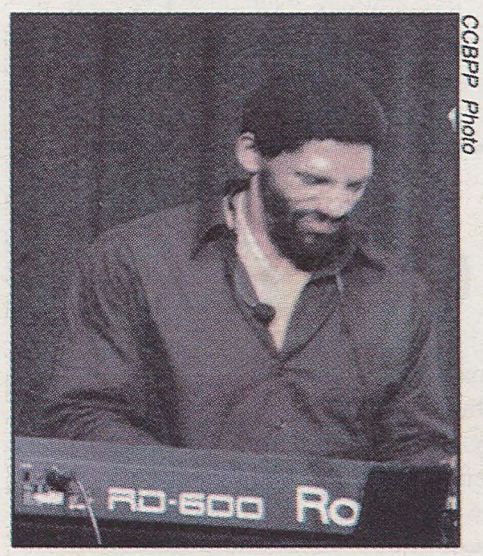
CCBPP Photo

Dr. Melvin Newton, brother of Dr. Huey P. Newton, spoke at the program.

CCBPP Photo

Patricia Karim emphasized the negligence of the education system toward the black youth in particular as the prison industry is bankrolled.

Dr. Melvin Newton spoke to the importance of the Black community coming together.



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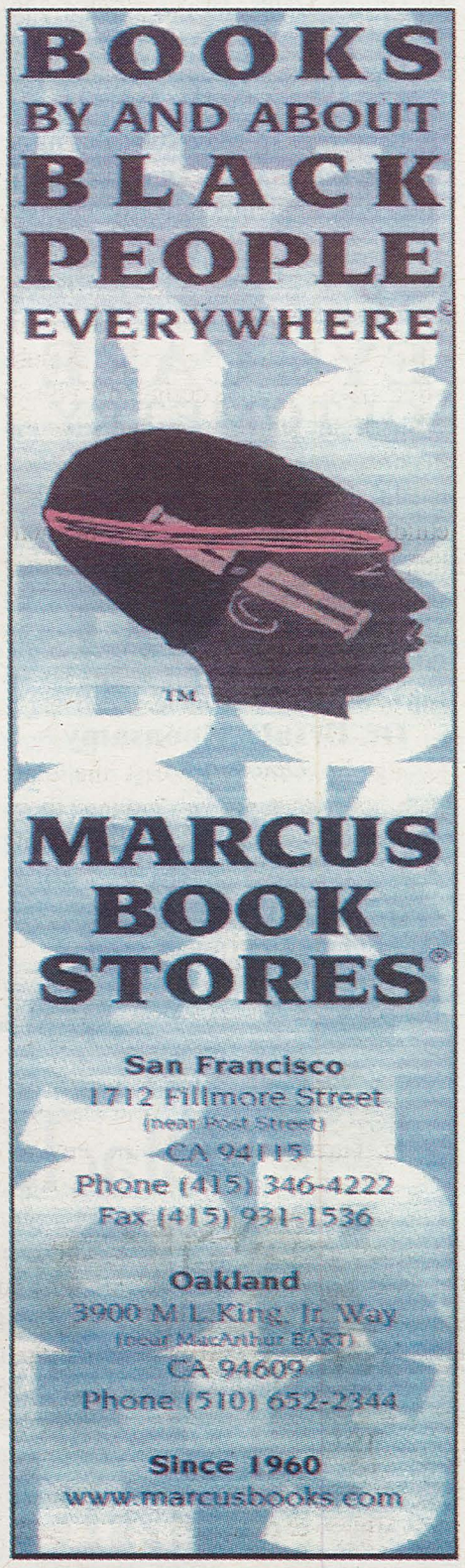
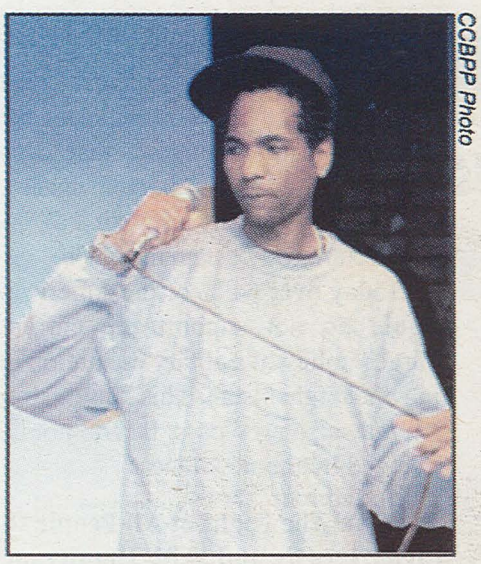
Star Groove provided soul music throughout, keeping the audience engaged.



On February 18, at the Black Repertory Group Theater in South Berkeley, The Commemoration Committee for the Black Panther Party (CCBPP) sponsored its annual Black History Month Labor College Celebration. It featured former BPP members Emory Douglas, author; Melvin Dickson, CCBPP Chairman and COMMEMORATOR editor; Dr. Melvin Newton, educator; the children and tutors from the Li'l Bobby Hutton Literacy Campaign; and a Special Guest, Clarence Thomas of the San Francisco International Longshoremen Local 10 and co-founder of the Million Worker March Movement. The theme of the event was "African American History is Labor History." This is a theme CCBPP and COMMEMORATOR bring back each year to remind volunteers, participants, and the audience, "what time it is," that the struggle for Freedom and Liberation is very much alive, and shall remain alive for as long as Black people, minorities and the working class are exploited and oppressed by the forces of monopoly capitalism — that is why the struggle continues.

The Program began with greetings and welcoming of people who came. The event opened with a very meaningful song to the audience, which was over 70% African American: The Black National Anthem, led by Aquiela Lewis who also emceed the program. Dickson gave the opening remarks, speaking to principles of CCBPP, and read from the COMMEMORATOR editorial on the topic of Black History, pointing out that Blacks were kidnapped and brought to this country for the purpose of building this country and maximizing profits for the early European settlers, the first ruling class, a class which continues to this day to reap the rewards from that oppression. "That is why the Ten Point Program holds the potential to advance the struggle for freedom for those who desire a stake in the future," stated Dickson.

Keynote speaker Clarence Thomas, spoke of the devastating conditions the Iraq war has caused both in Iraq and the United States. He addressed the need to organize in the community for living wage jobs and explained that "George Bush and Dick Cheney are making a lot of money for Bush's buddies at Bechtel, Halliburton, Kellogg, Brown and Root, and the many corporations that are looting the American taxpayer like never before." Emory Douglas, author and former Black Panther Party Minister of Culture, autographed his book, ***Black Panther: The Revolutionary Art of Emory Douglas,*** as a door prize. He then gave an update on the **San Francisco 8** who had recently been arrested on a ridiculous charge stem-



CCBPP Photo

Volunteer Eseibo Halliday educates and entertains the audience with his rap music.

Courtesy of Youth Uprising

East Oakland Youth Uprising performed, complete with fashion, dress and styles from the movement of the 1960's.

ming from a case that was thrown out of the courts over 30 years ago (in this edition, page 3).

Melvin Newton, the brother of Huey P. Newton, commented on the importance of the black community coming together, with both young people and the elderly, joining together and making a difference in their communities as a way to meet their day-to-day needs.

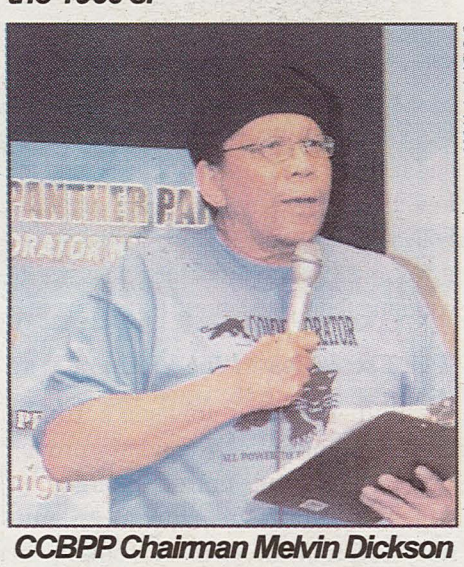
Members from the Li'l Bobby Hutton Literacy Program spoke, including Patricia Karim, a lead coordinator, "The public schools have been failing our children, and will continue to fail them in more ways than one... The public school program is designed for black children to fail. The attitude by the majority of the teachers and the administration alike, is to make sure the black children are not given the kind of attention they need in order to learn. Charter schools are not the answer either. But the good thing is that we have the Li'l Bobby Hutton Literacy Campaign up and running; and our children are learning," Karim said.

She demonstrated that the children are learning by having them come up to the stage; each one recited a Point from the Black Panther Party Ten Point Program.

Heyday 60s

The East Oakland Youth Uprising put on a stunning fashion show of the 1960s, with the music, the Black Panther dress style, the walk, the dance, and the motif of the heyday 60s. Also on the program were Hip-Hop Artists, with their lyrical and rhyming presentations. Star Groove kicked it up, juicing it with rhythm and bluesy licks, keeping the audience engaged in the music — in the mood — in the mix — on the set of the Black History Labor College Celebration.

All Power to the People



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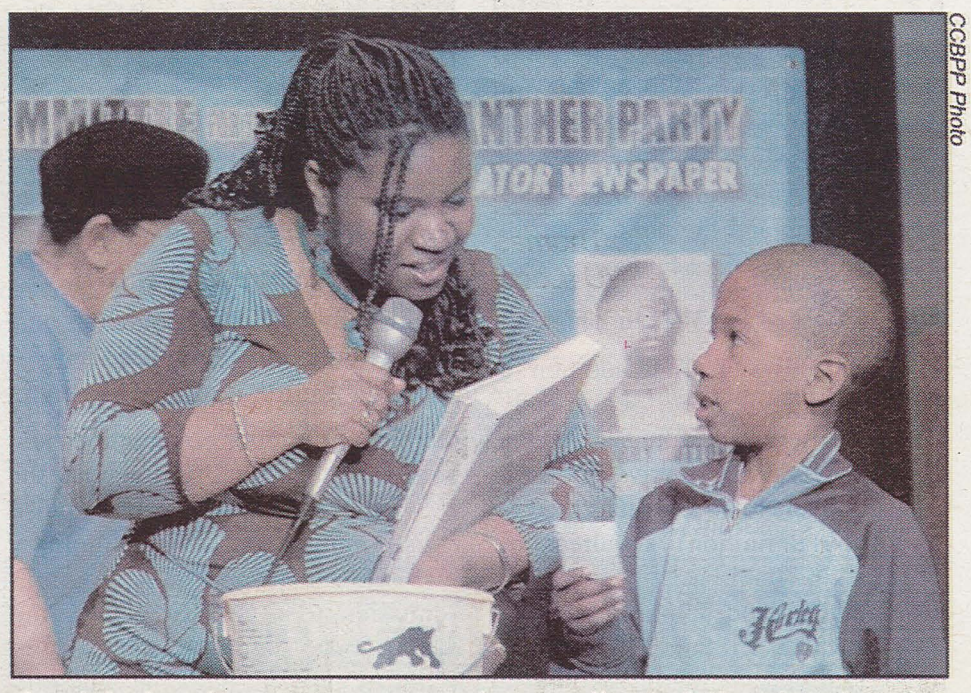
CCBPP Chairman Melvin Dickson opens the program.



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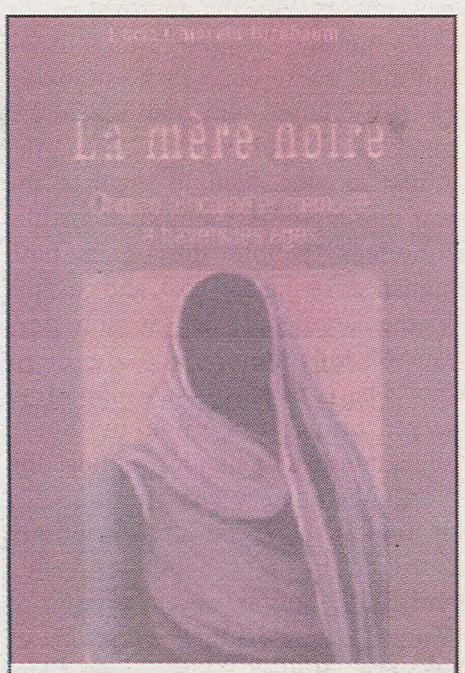
Aquiela Lewis was emcee and co-ordinated the drawing for the door prizes: copies of illustrative books on Black Panther History, by Emory Doulgas and Stephen Shames.



Dark mother, African Origins and godmothers by Lucia Chiavola Birnbaum was first published late in 2001 by iUniverse. Since then it has received critical acclaim by africentrist and mother centered scholars, renowned writers (e.g., Alice Walker) and has been used in inter-disciplinary university classes. The English edition may be secured from Amazon, et al, as well as other book stores. An Italian edition, La Madre O-Scura, was published in 2004 at Cosenza, Italia.

On March 29, 2007 the book was published in a French edition by the African publishing house, Editions Menaibuc in Paris as La mére Noire (the black mother), and is being distributed in Africa, the Caribbean as well as Europe. "Imagine, " said Corinne Innis, "if everyone understood that the oldest mother was African and black."

Website- darkmother.net
Email - Lucia@darkmother.net

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Only Systemic Change

Continued from page 2

approach: one that encourages people to be proactive, not reactive, and to behave less like bureaucrats and more like venture capitalists."

From the moment the U.S. troop buildup began in advance of the invasion of Iraq, the Pentagon made private contractors an integral part of the operations. As the government gave the public appearance of attempting diplomacy, Halliburton was prepping for a massive operation. When U.S. tanks rolled into Baghdad in March 2003, they brought with them the largest army of private contractors ever deployed in modern war. By the end of Rumsfeld's tenure in late 2006, there were an estimated 100,000 private contractors on the ground in Iraq — an almost one-to-one ratio with active-duty American soldiers. They are still there, and the policies attributed to him are still in force.

The Cost of the War in Lives

As of May 9, 2007 in addition to the U.S. soldiers killed, permanently disabled or seriously wounded and the deaths and disabling of privatized contracted soldiers (also known as mercenaries, by definition), hundreds of thousands of Iraqis have been killed, many more wounded, and millions of Iraqis now live as refugees in camps in Jordan and other bordering countries, having to flee from the violence and destruction.

In northern California, Chico State students and Chico residents recently covered Children's Park in a sea of white and red flags to honor people who have died in the Iraq war. Volunteers set up about 128,000 flags along the park's fence. Each of the 125,000 white flags represented five or six Iraqis who have died in the war. About 3,000 red flags represented each American soldier who has died in the war so far.

Cost of the War in Dollars

To date, U.S. spending on the war in Iraq has been $500 billion and the spending continues to increase. By the end of this fiscal year, $151.1 billion will have been spent; an amount that could have paid for comprehensive health care for 82 million U.S. children or the salaries of nearly 3 million elementary school teachers. According to the government's own figures, the war costs the American taxpayers $2 billion each day.

When Hurricanes Katrina and Rita were aiming for the U.S. Gulf Coast, not a penny was spent by the U.S. government to get working and poor people out of harm's way, and after it hit, the National Guard of Mississippi and Louisiana weren't there to rescue anyone. They and their equipment were in Iraq. And who got the government contracts to rebuild the Astrodome in New Orleans, and fix the infrastructure for the new corporate offices that sprang up immediately? That's right, some of the same big corporations. Meanwhile, the government drags its feet in providing the aid to low-income working Katrina

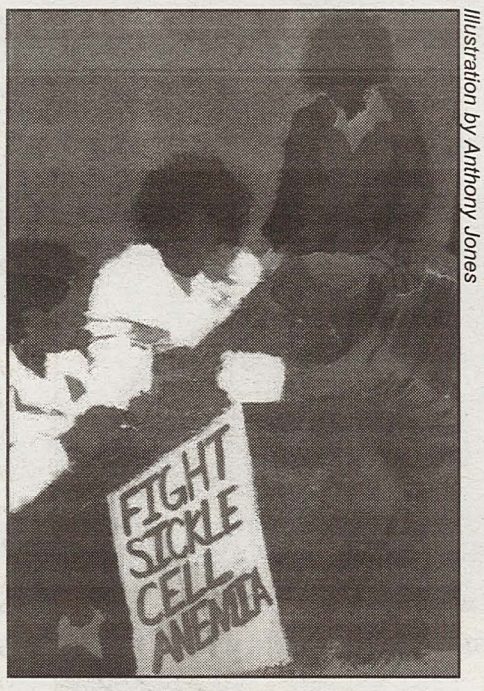

Illustration by Anthony Jones

BPP meeting the day-to-day needs of the low-income black masses.

victims to be able to return to rebuild their homes. That's not on the federal government's agenda.

The Economic Draft: The Use of Immigrants, Blacks, Minorities and the Poor as Cannon Fodder

In addition to aggressive military recruitment in poor communities and poor neighborhoods throughout the U.S., the federal government also enlists immigrants into the military with the enticement of a ticket to admission to U.S. citizenship. And the latest decision to offer those convicted of misdemeanors the "opportunity" to join the military as an alternative to jail time now adds to the government's tactics of trying to keep the ranks of their "volunteer" army at the needed level. *The New York Times* reported a few months ago in a small article in the back pages (a story never picked up and discussed further since) that there have been over 3,000 instances of desertions and AWOLS by U.S. soldiers in the military in the last year. Their wars of aggression are clearly dependent on the use of mercenaries and private contractors. This war is not being driven by any desire for freedom from terror, but by the desire for continued and ever-increasing profit for the very few, by use of terror, while bleeding the U.S. population dry, while keeping them compliant with the beat of the drums of fear. At the same time, the U.S. government is operating with an eight trillion dollar debt and is driving up that amount up daily.

The Vietnam War, the Iraq War: Lies as Policy Continue

None of this is new; none of this was just created with this war. It is part and parcel of the current economic system and the ongoing policies of the current class in power.

The supposed bogeyman the U.S. was fighting to defeat in the days of the Vietnam War was "Communism." Today's bogeyman, is "Terrorism." The fear that the U.S. government instills in the populace through constant hue and cry enables the government to install Homeland Security and the Patriot Act to use against the American people. The politics of scapegoatism in the hands of the government are in full gear, only rivaled in the annals of history by the use of scapegoatism by the Nazis in Germany. That is why the government and the mass media's attacks against political prisoners, such as Mumia Abu-Jamal, (see the lead article in this issue of *COMMEMORATOR)* and groups such as the San Francisco Eight (see page 3) are so fierce and so common.

The "Surge" campaign in Iraq and the U.S. escalation of the Vietnamese War in 1964 under President Lyndon B. Johnson bear resemblances worth considering. The media campaign the government utilizes to sell these wars is geared toward preserving the goals and interests of the U.S. bourgeoisie's monopoly capitalist control and American military supremacy throughout the world. The cost of both wars came directly from tax dollars previously used to provide services and benefits for the working class and the low-income and minority communities; both wars were escalated through the government's use of intentional lies to continue their escalation.

The Escalation of the Vietnam War

With President Johnson's Tonkin Gulf Resolution, subsequently proven to be based on untrue charges of attacks by North Vietnam on U.S. military ships in the Gulf of Tonkin, the anti-communist propaganda entered a new phase. With the approval of the resolution by Congress, Mr. Johnson did not waste any time attacking North Vietnam, for the resolution made it possible for the Administration then to escalate the war into a conflagration that cost the American people dearly in both human suffering and cost, and cost the Vietnamese people far, far more devastation and misery.

"The U.S. Navy was supporting secret hit-and-run raids by South Vietnamese commandos against the North Vietnamese coast in the Gulf of Tonkin. U.S. war ships regularly patrolled in sight of shore, inside North Vietnamese territorial waters," reported then Secretary of Defense, Robert McNamara, "The U.S. administration sensed the opportunity it had been waiting for. President Johnson announced that any 'unprovoked military action' would lead to 'grave consequences.'" Johnson then issued a false report, a lie — that the U.S. ship had been attacked, and used that as a basis for the U.S. onslaught.

As the deception and U.S. military aggression escalated, amid mass anti-war protests at home and around the world, the Johnson administration had to step down by not running for re-election. But the segment of the U.S. ruling class, the military-industrial complex that even President Eisenhower warned against, was still in the saddle, just with a different Executive office administration.

Today over 64 % of the American people do not support the current "surge" policy of military escalation in Iraq and Afghanistan. This administration may also now pass. But do not be deceived by the new faces.

Fight for the Right of All People to Live Decently and With Dignity on This Planet

We understand that this is a fight between the working class and the international monopoly capital ruling class whose bottom line is about maximizing profits throughout the world at any cost, no matter what price the people of the world must pay. For the ruling class to win and stay on top, they must continue to enslave and heighten the exploitation and control of the working class. Nothing works so well for the bourgeoisie as their divide and conquer strategy to keep the working class disorganized and unable to change this condition. Whether country against country, race against race, or whatever other divisions they can exploit, the result is the same. For us to survive and get on top of this, and stop them, we must build organization that thwarts their ability to do that.

About 95% people on this planet must work to survive. Yet it is that other 5% who own most of the resources and do not work; they just move their money around the world and use their power to extract every cent of surplus value they can from the backs of the working class. There are more of us than there are of them — we just need more people to wake-up, get past their hesitancy, fear, complacency, nostalgia or whatever may be holding you back, and get busy organizing!

To build healthy communities and end crime, we must end poverty. This is a right: access to employment, income, education, health care and security is a right. This is what the BPP Ten Point Program is all about.

But no one has ever given us our rights or our freedom — remember? We have to organize and take it.

Those who want to help bring about this change, should call COMMEMORATOR at 510-652-7170 and ask for Arthur Thompson, Volunteer Coordinator.

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CONTINUED SUPPORT!

D.A. Afraid?

Continued from page 5

targets the court sets for itself so it could reach a decision much quicker, or longer. I hope to have a ruling before the end of the summer, but that depends upon what happens internally with the court; it could be sometime in the fall. I do not think it will sit on this case for a long time. This is a court not known to procrastinate and hold up the wheels of justice.

AJN: What rulings could the court make?

Bryan: I will give you the two extremes of what might happen: (1) If the court decides that Mumia deserves a new trial, the judges might order a retrial. (2) If the court rules against us on everything, we would be looking down the barrel of an execution, and need to petition the United States Supreme Court. Of course, there are various rulings the court could make between these two extremes, such as sending the case back to a lower court for further hearings, only ordering a retrial on the issues of life or death, etc.

The issues in this case are of great constitutional importance. In addition to the work by associate counsel Professor Judith L. Ritter and me, there has been support from highly respected legal organizations. The NAACP Legal Defense Fund has written a friend of the court brief on the "racism-in-jury-selection" issue. There was also a brief filed by the National Lawyers Guild, which has been joined by the National Conference of Black Lawyers, International Association of Democratic Lawyers, Charles Hamilton Houston Institute of Race and Justice at Harvard Law School, the Southern Center for Human Rights, and the National Jury Project. That is quite a list of human rights-oriented organizations arguing that this case cries for a new and fair trial not riddled with racism, as it was initially.

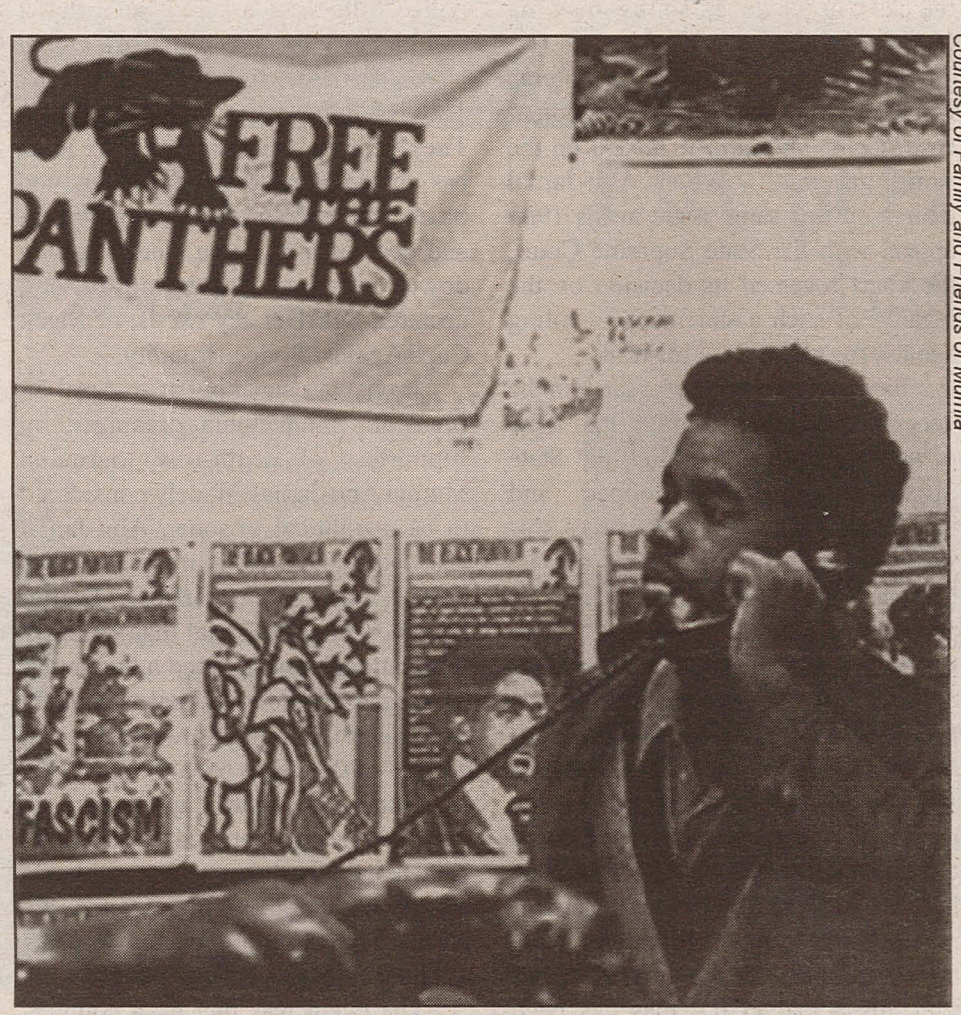
Photo by Hans Bennett

***Pam Africa, with French delegation, promotes Mumia Abu-Jamal's book,* Mumia.**

AJN: What can supporters around the world do to best aid your battle in the courts?

Bryan: People need to openly express their concern for human rights, opposition to the death penalty, and demand what we are after in this case: a completely new trial. At the conclusion of that trial, my client could go home to his family. That is the bottom line, and that is what's driving me and the legal team: Mumia's ultimate freedom.

That being said, I consider it very important that people's voices are heard in many ways, like peacefully demonstrating, writing letters to newspaper editors, op-ed pieces, news articles. We must get the word out publicly about the injustices that have occurred in this case — letting the facts speak for themselves. That is what people can do. Of course we need financial support for the legal effort and there is a fund strictly for the legal defense, The Committee To Save Mumia Abu-Jamal.



Courtesy of Family and Friends of Mumia

At the age of 15 Mumia became the Lieutenant of Information for the Philadelphia chapter of the Black Panther Party (BPP).

The big thing is that people's voices are heard. I was in Berlin, Germany, in January and spoke to an audience of well over two thousand people. The audience's boisterous reaction to my remarks was overwhelming —they recognized the importance of Mumia to the cause of people's basic rights. There is also much activism in many other countries, such as France, England, Spain, Italy. Mumia Abu-Jamal has become a worldwide symbol in the struggle against the death penalty and against human rights abuses.

When arrested, Mumia was a prominent journalist who was known as the "Voice of the Voiceless," because he spoke out against governmental abuses and corruption. The authorities thought when they prosecuted and put him on death row, they would silence him. Ironically, he is heard by more people today through radio and print than he was when free. Mumia does not write about himself, but rather about big issues like women's rights, racism, wrongs committed by the U.S. and other governments in Iraq, how we treat prisoners at places like Guantanamo, the education of young people and poverty.

The Philadelphia District Attorney's goal is to kill Mumia, to see him put in the death chamber, strapped down and murdered in the name of the law. The hope of the state is to silence Mumia once and for all.

We all need to understand that the racism and unfairness continues through the present and we are trying to change that.

AJN: Anything else to add?

Bryan: The *Batson* issue, which concerns racism in jury selection, is very important. It was not just in my client's case, but it was actually the *modus operandi* of lawyers in the District Attorney's Office to remove people from the jury who were black and poor. This rendered the trial unfair. The U.S. Supreme Court as well as the U.S. Circuit Court of Appeals have spoken on this issue, ruling that this type of behavior by prosecutors is constitutionally unacceptable.

AJN: How long have you and Mumia known each other?

Bryan: Mumia started writing me in 1986 and we eventually got to know each other, but I had to turn down the case because I was too busy with other death penalty work. When he came back to me just over four years ago, I could not say no, because it was too important and he needed help.

Mumia has reminded me that what we are all doing is far bigger than just his case. It relates to everyone on death row, and is about people everywhere who are unfairly treated, political prisoners around the globe. We need to bear in mind that a victory for Mumia Abu-Jamal will help other people. That is Mumia's concern. He hopes that what we are doing in his case will help other death row inmates, and put a spotlight on the things wrong with legal systems everywhere. The racism needs to be exposed, brought out to the light of day and changed. We are about making change for a lot of people.

To contribute to the legal defense of Mumia, checks should be made payable to the "National Lawyers Guild Foundation," and mailed to: Committee To Save Mumia Abu-Jamal, P.O. Box 2012, New York, NY 10159.

About the Author:

Hans Bennett was an aspiring undergraduate journalist student when he met COMMEMORATOR volunteers in early 1998 on the campus of the University of California, at Berkeley. He read COMMEMORATOR's lead story, "'Strange Fruit Found Hanging From A Shasta County Tree,"' about Leo Coleman, Jr., whose mutilated body was found hanging from an oak tree in Anderson, Shasta County, California surrounded by racist epithets and symbols. Hans thought it was unbelievable that at this late date such a despicable hate crime against a young black man could happen in the state of California because of one's skin tone.

After reading the article, it didn't take much to convince Hans that something had to be done to change the conditions in this country. He signed up to volunteer, and volunteered throughout the remaining year, copy editing, proofing articles, writing and learning the practical skills of journalism also received classes on the Black Panther Party, the Civil Rights Movement, Black History, the history of racial oppression, and divide and conquer tactics that the ruling class has used to hold down minorities and poor people for centuries. He went on numerous CCBPP neighborhood membership and business canvasses, and speaking engagements along with other volunteers and circulated the COMMEMORATOR newspaper at every opportunity. We were also circulating a petition to free Mumia from illegal incarceration and Hans took up the Free Mumia Campaign, recognizing the injustice that Mumia's case exposes.

Hans later transferred to the University of California, Santa Cruz where he joined with other activists and, after graduation, moved to Philadelphia to work with the campaign to free Mumia. Hans' chosen work put him wherever there was something happening on behalf of Mumia. He mailed photos to the COMMEMORATOR from Los Angeles and articles from Philadelphia. These included an interview he did with Mumia in August 2003, in which Mumia talked about his early experience learning about international politics, learning about imperialism and wars of aggression through the Vietnam war and relating that to the United States' current imperialist war in Iraq.

In October 2003, COMMEMORATOR ran a story by Hans on Mumia titled "New Witness Steps Forward in Defense of Mumia Abu-Jamal," about Kenneth Pate, whose testimony challenges the police accusation that Mumia confessed to killing Philadelphia police officer Faulkner as he lay in the hospital after being shot. Hans Bennett exemplifies how we can use the power of the people's media, the COMMEMORATOR, to explain the news and issues, teach organizing skills, and use our publications as tools in the work of bringing minority and other oppressed people together to fight for justice.

All Power to the People

YOU CAN BE PART OF THE SOLUTION!

It's time to tell the real story

CCBPP NEEDS YOU
Writers, Editors, Desktop Publishers, and Proofreaders
Ask for Arthur Thompson
Call: 510-652-7170

Tyrants Hate Free Speech

Continued from page 4

Federal District Court Judge William Yohn, which affirmed Abu-Jamal's guilt but overturned the death sentence. Citing the 1988 *Mills v. Maryland* precedent, Yohn ruled that sentencing forms used by jurors and Judge Sabo's instructions to the jury were confusing. Subsequently, jurors mistakenly believed that they had to unanimously agree on any mitigating circumstances in order to consider them as weighing against a death sentence.

DA Lynne Abraham is appealing the death penalty ruling while Mumia is appealing the guilty verdict.

If the penalty ruling is overturned, a new execution date will be set. If his ruling is upheld, the DA can still impanel a new jury to rehear the penalty phase, which could then sentence Mumia to death — regardless of the 3rd Circuit ruling.

Because the DA appealed Yohn's death penalty decision, Mumia has never left death row.

In December, 2005, the 3rd Circuit announced the beginning of deliberations and shocked many by agreeing to consider two claims not "certified for appeal" by Yohn in 2001. The courts are now considering the following four issues:

#1. Whether the penalty phase of Mumia's trial violated the legal precedent set by the US Supreme Court's 1988 *Mills v. Maryland* ruling. This issue was Yohn's grounds for overturning the death sentence and is now being appealed by the DA.

#2. "Certified for appeal" by Yohn in 2001, the Batson claim addresses the prosecution's use of peremptory challenges to exclude Blacks from Mumia's jury. In 1986, the US Supreme Court ruled in *Batson v. Kentucky* that a defendant deserves a new trial if it can be proved that jurors were excluded on the grounds of race. Most importantly, Batson significantly lowered the defendant's burden of proof.

At Mumia's trial, Prosecutor McGill used 11 of his 15 peremptory challenges to remove black jurors that were otherwise acceptable. While Philadelphia was 40% black, Abu-Jamal's jury was composed of ten whites and only two blacks. From 1977-1986 when current Pennsylvania governor Ed Rendell was Philadelphia's District Attorney, the evidence of racism is striking: from 1977-86, the Philadelphia DA struck 58% of potential black jurors, but only 22% of white jurors.

In their *Amicus Curiae* ("friend of the court") brief supporting the Batson claim, the NAACP Legal Defense Fund concludes that it is an "abundantly clear… *prima facie* case of discrimination." The LDF cites a survey of homicide cases DA McGill tried from Sept. 1981 to Oct. 1983, showing that "the odds that Mr. McGill would peremptorily challenge an African-American potential juror were 8.47 times greater than for non-black jurors."

#3. The legality of McGill's statement to the jury minimizing the seriousness of a verdict of guilt: "if you find the Defendant guilty of course there would be appeal after appeal and perhaps there could be a reversal of the case, or whatever, so that may not be final."

In 1986 the Pennsylvania Supreme Court ruled against McGill in another case *(Commonwealth v. Baker)* on the same grounds. When Abu-Jamal addressed this same issue in his 1989 appeal with the State Supreme Court, the court reversed its decision on the legality of such a statement — ruling against the claim for a mistrial.

Incredibly, just one year later, in the very next case involving this issue *(Commonwealth v. Beasley)*, the State Supreme Court flip-flopped and restored the precedent. However, this would not affect the ruling against Mumia, because the court ruled that this precedent would only apply in "future trials." This suggests that the rulings were designed to specifically exclude Mumia's case from its precedent.

#4. The fairness of Mumia's 1995-97 PCRA hearings when the retired, 74-year-old Judge Sabo was called back specifically for the hearing. Besides the obvious unfairness of recalling the exact same judge to rule on his fairness in the original 1982 trial, his actual PCRA bias has been extensively documented.

During the 1995 hearings, the mainstream *Philadelphia Inquirer* wrote that the "behavior of the judge in the case was disturbing the first time around — and in hearings last week he did not give the impression to those in the courtroom of fair mindedness. Instead, he gave the impression, damaging in the extreme, of undue haste and hostility toward the defense's case."

Concluding the PCRA hearing, Sabo rejected all evidence and every witness presented by the defense as not being credible. Therefore, Sabo upheld all of the facts and procedures of the original trial as being correct.

To support his argument that Sabo was biased, attorney Robert R. Bryan has included an affidavit from an explosive new witness who emerged in 2001. Terri Mauer-Carter was working as a stenographer in the Philadelphia Court system on the eve of Abu-Jamal's 1982 trial. She states that she overheard judge Sabo say in reference to Mumia's case that he was going to help the prosecution "fry the nigger."

Robert R. Bryan commented in a recent interview, that "aside from the numerous violations of my client's constitutional rights detailed in our briefs, we also have this evidence that Judge Sabo said he was going to help the prosecution kill my client, referring to him in the most racist and despicable manner imaginable."

In 2002, Journalist Dave Lindorff interviewed Mauer-Carter's former boss, Richard Klein, who was with Mauer-Carter when she states she overheard Sabo. A Philadelphia Common Pleas Court judge at the time who now sits on PA's Superior Court, Klein told Lindorff: "I won't say it did happen, and I won't say it didn't. That was a long time ago." Lindorff considers Klein's refusal to firmly reject Mauer-Carter's claim to be an affirmation of her statement.

Mobilizing for May 17

"I received nothing less than 10 or 15 death threats over the last four weeks from so-called Philadelphia police officers. I assured them that I would show up today, so they would have an opportunity to kill me. They've intimidated and scared folks. They've done what the Ku Klux Klan has always done in America: terrified black people, poor people, immigrants, and good white people" into stepping down and not confronting racism, declared Sgt. DeLacy Davis, of Black Cops Against Police Brutality.

Davis was speaking at an April 24 event in Philadelphia organized by supporters of death-row journalist Mumia Abu-Jamal. Widely considered to be a political prisoner, Abu-Jamal was convicted of killing a white Philadelphia police officer, Daniel Faulkner, in a 1982 trial that Amnesty International has declared a "violation of minimum international standards that govern fair trial procedures and the use of the death penalty."

Hundreds had gathered in Philadelphia on April 24 to celebrate Abu-Jamal's birthday, and to publicize his upcoming oral arguments before the federal Third Circuit Court of Appeals in Philadelphia on May 17, 2007.

The event was met by a counter-demonstration of over one hundred plainclothes police officers — a culmination of recent intimidation tactics by the Fraternal Order of Police (FOP), who have long been key opponents of a new trial for Abu-Jamal.

Condemning both the police counter-demonstration and the death-threats he had reported, Sgt. Davis passionately declared that "the behavior and tactics" that he had observed from police outside were "exactly" what he had witnessed from the Ku Klux Klan. "It is that intimidation factor that we have to address and deal with."

Tyrants Hate Free Speech

Other guest speakers on April 24 criticized the recent FOP intimidation. Emphasizing the long history of resistance to US racism, Philadelphia journalist Linn Washington told the crowd that "this struggle today around Mumia is not new." Washington then cited the 19th century black journalist and abolitionist, Frederick Douglass, who said, "Tyrants hate free speech." Pointing to the large police counter-protest outside the building, he asked, "If the evidence against Mumia is as overwhelming as it is claimed to be, why is there such a shrill reaction" to someone questioning the evidence?

In his column written the previous week in the black Philadelphia Tribune newspaper, Washington documented how the April 24 event had to change locations after police intimidation of the previous Clef Club venue. He wrote that the "anti-Abu-Jamal barrage of e-mails and telephone calls unleashed on the Clef Club included declarations perilously close to terrorist threats."

Earlier that month, an April 15 hip-hop concert and fundraiser for Mumia was also forced to relocate when police intimidated the owner of the Remote Lounge club. A New York City black newspaper, the Amsterdam News, reported, "after receiving 16 citations, thousands of dollars in fines and allegedly malicious threats, the night club owner canceled the concert, two days before the scheduled event."

Acting as the NYC Free Mumia Coalition's legal representative, attorney Michael Tarif Warren later declared at a press conference outside City Hall, "the police engaged in a conspiracy to close this event to prevent a worthy cause." Quoted by Amsterdam News, Warren called for "a fair hearing to air the legal improprieties" of the NYPD.

Comments posted by police officers on the infamous NYPD "RANT" blog website detailed the intimidation campaign. One post stated, "This f—ker should be dead, we should ruin this event and make life miserable for every f-ing Hollywood liberal scum liker that shows up, fry Mumia." Other posts threatened to send the violent Hell's Angels motorcycle gang into the Remote Lounge, set up road blocks, send in undercover police, lure people with prostitutes, write up tickets, and throw citations on the club, and more.

After the event was forced to relocate, an April 15 thread on the "RANT" site was titled "NY Mumia Hip Hop Benefit Rally Gets Bitch Slapped." One post under the name "Philadelphia Police Highway Patrol" said: "A sincere

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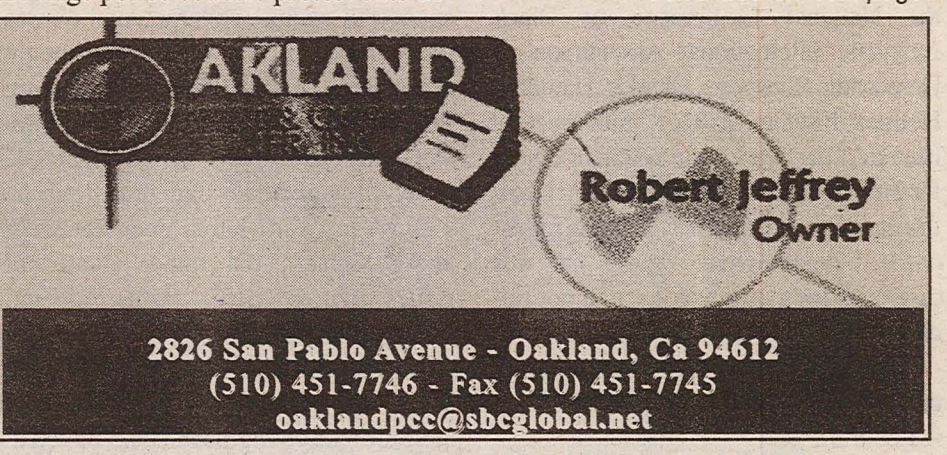

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Membership Kick Off

Continued from page 1

and applying Huey Newton's concept of intercommunalism is even more poignant now than in the '70s when he first promulgated it. *This is what our membership campaign is about."*

In Oakland, 85,000 of the city's population of 400,000 adults are functionally illiterate and the numbers are increasing by the day. At the same time, according to a May 21, 2007 *San Francisco Chronicle* article, California's prison budget, currently over $10 billion per year, has been increasing by 9% annually and will surpass the amount of higher education funding in the next five years. CCBPP created the Li'l Bobby Hutton Literacy program as one step in reversing this appalling reality. Additionally, CCBPP drives home the importance of written communication through its continuous production of *COMMEMORATOR* newspaper.

Members of CCBPP volunteer their time to carry out the work of these programs and promulgate them as widely as possible. Many more volunteers are needed to continue to expand these programs in Oakland as well as other locations in the country.

CCBPP's membership campaign will be carried out by volunteers in cities and counties on both coasts and in the Midwest. Melvin Johnson, CCBPP Administrative Assistant, will be providing on-the-job training to teams of CCBPP volunteers running tables and canvasses in Oakland, as well as a phone campaign to reach everyone who has ever been a volunteer or supporter of CCBPP to reaffirm their membership now.

Ali King, CCBPP volunteer and Membership Committee staff, lives in Sacramento and will be the CCBPP liaison heading up the membership expansion there. "I'm very excited about this campaign," said King, "because there is a real need to bring back the goals, principles, and the spirit of the BPP. There are too many young people who only heard the half-truths and misinformation about the Party put forward by the mainstream media and by the naysayers." New members and volunteers signed up in Sacramento will also be able to visit the CCBPP office in Oakland for organizer training.

For the upcoming summer months in Oakland, California, CCBPP will co-host the Li'l Bobby Hutton Day Celebration on July 7th along with a newly formed committee called Family and Friends of Li'l Bobby Hutton. The program will include a Service Award to honor volunteers and supporters who have exemplified a genuine commitment to promoting the legacy of the Black Panther Party through diligent work and commitment. These events will be held in West Oakland where the Black Panther Party began some of its first survival programs, and where Li'l Bobby Hutton, Huey Newton, Bobby Seale and other former BPP leaders and members grew up. This is also the same area where Huey was murdered in 1989.

Part of the Celebration will be Community Service Awards presented to various volunteers and supporters, such as the volunteer artists designing the sculpture of Li'l Bobby, and an award to The Crucible, a non-profit education center for art, industry and community, which is donating the facility in which the statue of Li'l Bobby Hutton will be produced. Other outstanding volunteers who are making a difference in their community, contributing to the struggle to eliminate poverty, exploitation and oppression, as called for by the Black Panther Party Ten Point Program, will also be recognized.

The CCBPP membership campaign seeks to involve those who are willing to learn the political lessons from the legacy of the BPP and gain critical organizing skills, such as how to produce publications, how to give presentations, how to run a neighborhood canvas, and tutoring. Please join with this effort and call CCBPP. Ask for Arthur Thompson, Volunteer Coordinator, at 510-652-7170.

All Power to the People

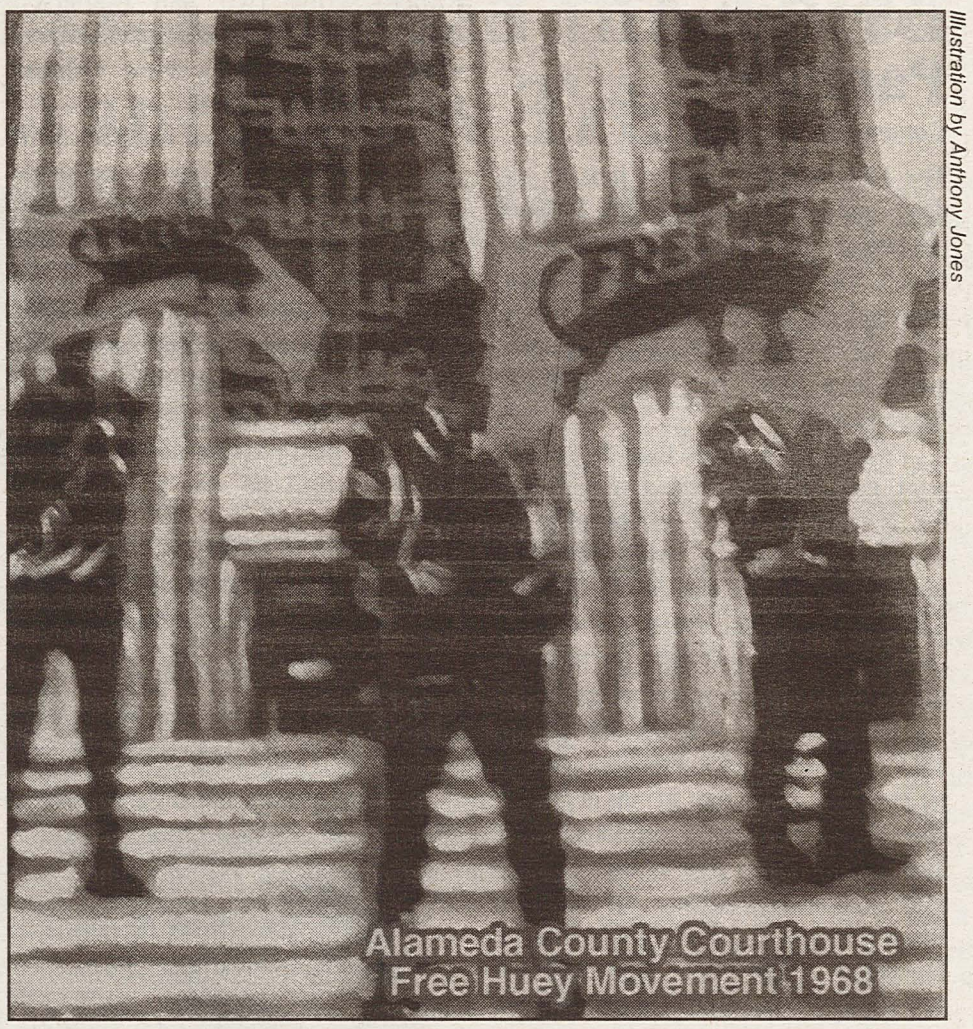

Illustration by Anthony Jones

The Free Huey Movement set the pace for the Black Panther Party.

Huey's Corner

Continued from page 7

ture itself will not liberate us. We're going to need some stronger stuff.

Revolutionary Nationalism

A good example of revolutionary nationalism was the revolution in Algeria when Ben Bella took over. The French were kicked out but it was a people's revolution because the people ended up in power. The leaders that took over were not interested in the profit motive where they could exploit the people and keep them in a state of slavery. They nationalized the industry and plowed the would-be profits into the community. That's what socialism is all about in a nutshell. The people's representatives are in office strictly on the leave of the people. The wealth of the country is controlled by the people and they are considered whenever modifications in the industries are made.

The Black Panther Party is a revolutionary Nationalist group and we see a major contradiction between capitalism in this country and our interests. We realize that this country became very rich upon slavery and that slavery is capitalism in the extreme. We have two evils to fight, capitalism and racism. We must destroy both racism and capitalism.

MOVEMENT: Directly related to the question of nationalism is the question of unity within the black community. There has been some question about this since the Black Panther Party has run candidates against other black candidates in recent California elections. What is your position on this matter?

HUEY: Well a very peculiar thing has happened. Historically you got what Malcolm X calls the field nigger and the house nigger. The house nigger had some privileges, a little more. He got the worn-out clothes of the master and he didn't have to work as hard as the field black. He came to respect the master to such an extent until he identified with the master because he got a few of the leftovers that the field blacks did not get. And through this identity with him, he saw the slave master's interest as being his interest. Sometimes he would even protect the slave master more than the slave master would protect himself. Malcolm makes the point that if the master's house happened to catch on fire the house Negro will work harder than the master to put the fire out and save the master's house, while the field Negro, the field blacks was praying that the house burned down. The house black identified with the master so much that when the master would get sick the house Negro would say, "Master, we's sick!"

Black Bourgeoisie

The Black Panther Party are the field blacks, we're hoping the master dies if he gets sick. The black bourgeoisie seem to be acting in the role of the house Negro. They are pro administration. They would like a few concessions made, but as far as the overall setup, they have a little more material goods, a little more advantage, a few more privileges than the black have-nots; the lower class. And so they identify with the power structure and they see their interests as the power structure's interests. In fact, it's against their interests.

The Black Panther Party was forced to draw a line of demarcation. We are for all of those who are for the promotion of the interests of the black have-nots, which represents about 98% of blacks here in America. We're not controlled by the white mother country radicals nor are we controlled by the black bourgeoisie. We have a mind of our own and if the black bourgeoisie cannot align itself with our complete program, then the black bourgeoisie sets itself up as our enemy. And they will be attacked and treated as such.

All Power to the People

Tyrants Hate Free Speech

Continued from page 14

thank you to all of my NYPD brothers and sisters. You men and women are truly the best!" Several other posts continued to boast of their actions with comments like "good job guys, f—k you mumia you dirty savage," "I'm shocked, amazed, and feel a warm glow! Great work. Outstanding!!!," "16 citations — and guess what the hits are gonna keep coming you f—k wad," "Does anyone sell Mumia targets, so I can keep his cause alive in spirit?"

Another wrote: "Everything I know about Islam I learned on 9/11."

One post used imagery that explicitly drew the connection to the brutal history of US lynching, where black victims of racist white mobs were literally burned alive, stating that, "I'm waiting for Mumia to be well done on the rotisserie."

Yet another post used the racist "Sambo" dialect attributed to African Americans for so many years in mainstream culture: "OH SNAP!!! da venue be changed? i hopez publik transportation be making itz way ova dere fo me!"

Pam Africa, the coordinator of The International Concerned Family and Friends of Mumia Abu-Jamal, said "I believe Mumia is innocent and am personally calling for his immediate release. However, I'll work with anyone supporting a fair trial. By demanding a new trial, we can work with those who know the trial was rotten, but are unsure of Mumia's innocence.

"Mumia can still be executed. Further, since the Supreme Court is unlikely to hear his case, this is realistically his last chance to get a new trial. We understand that they're getting ready to kill another black revolutionary who has refused to bow down and suck up to his oppressor. His case represents all that is wrong with this system. We must take action now before it's too late."

All Power to the People

Persecuted Panthers

Continued from page 3

The FBI literally hounded him to his death and beyond; they sought to open his casket – there wasn't one; he was cremated. They interrogated family members and the funeral director and they even visited the crematorium voicing suspicions that he had escaped. Unbelievable!

We must be clear that this witch hunt, part of the so-called war on terror, is really a war on resistance to an increasingly fascist, imperialist the government. It's a war on the best of our kind, heroes and sheroes who resist racist repression and fight for the survival and liberation of our people.

One such hero was JB, who joined the Party in 1967 in San Francisco, where he grew up. I met him in '69 or '70 in New Haven and grew to respect and love him dearly. Warm and caring, he was truly dedicated to serving and uplifting Black people and did so for 40 years. A founder of All of Us or None and the Committee to Defend Human Rights (CDHR), he was a community organizer in Oklahoma City until his death.

The four other Grand Jury Resisters – Brown, O'Neal, Taylor and Boudreaux – were subpoenaed in 2003 to testify before a San Francisco grand jury in what was the opening salvo of the bogus Ingleside case. Refusing to testify, they were all jailed for the jury's duration.

Upon release, in view of the Abu Ghraib torture scandal and the ongoing violation of their constitutional and human rights, they felt compelled to alert the public to the similarity of tortures perpetrated behind walls in the U.S. So they founded CDHR and began touring the States to educate people about COINTELPRO, the Patriot Act, and this latest witch hunt.

To put these events in context, we must remember earlier witch hunts of Panthers. These included the capture and framing of geronimo ji Jaga (Pratt) who suffered 27 years in California prisons until exonerated in 1996, winning a subsequent lawsuit.

Dhoruba bin Wahad (Richard Moore) did 19 years before exoneration and received a million-dollar settlement in 2000. He was a part of the NY 21, who were all found "not guilty!"

Jamil Al-Amin (H. Rap Brown), now a Muslim imam, is doing life in a Georgia state prison while appealing his wrongful conviction. Kamau Sadiki (Freddie Hilton), sentenced to life in 2003 after refusing to cooperate in the pursuit of Assata Shakur, now living in Cuba.

In 2005, New Jersey's governor increased the bounty on Assata to $1 million!

Nor can we forget the state's plot to execute Mumia Abu-Jamal who has been locked on Pennsylvania's death row for 25 years for a murder he clearly did not commit. He would be dead — death warrants have been signed twice already — were it not for the power of the people. Not to mention countless other Panthers imprisoned for up to 40 years.

The original investigation of the Ingleside murder of Sgt. John Young began with the arrest in New Orleans, in 1973, of John Bowman, Taylor, and Ruben Scott. Two San Francisco detectives interrogated and then supervised their torture by New Orleans police for several days.

The brothers were isolated from one another, stripped naked and handcuffed to a chair, covered with boiling hot blankets and plastic bags tied over their heads, threatening suffocation. Cattle prods were used to inflict electric shocks to their genitals and anus, and they were brutally beaten with blackjacks and other objects. Taylor described being kicked in the back of the neck until he was unconscious, then kicked back awake four or five times in an hour.

"It was during this very period that 41 FBI field officers were advised by a memo from the FBI director to 'be alert to have them arrested' on virtually any charges they could trump up … the same period when Panthers were struggling to meet people's basic needs through free breakfast programs, clothing drives, health clinics, sickle cell testing..."

All told, the prolonged tortures left the brothers with permanent injuries, including damaged ear drums, chronic pain, knee problems, arthritis and Post Traumatic Stress Disorder symptoms such as trouble sleeping and nightmares.

At that time, they all made torture-induced confessions, but such "evidence" is neither credible nor legal. So in 1975, a San Francisco judge dismissed the case. It's outrageous that these same charges are again being brought against eight elders ranging in age from 55 to 71, all of whom face conspiracy charges on the Ingleside incident and numerous other activities between 1968 and 1973.

It was during this very period that 41 FBI field officers were advised by a memo from the FBI director to "be alert to have them arrested" on virtually any charges they could trump up … the same period when Panthers were struggling to meet people's basic needs through free breakfast programs, clothing drives, health clinics, sickle cell testing, alternative schools, organizing against rent hikes and substandard housing, and advocating for community control of local police to stop them from murdering and brutalizing our people

This resurrected case must be understood through the historical lens of the FBI's counterintelligence program (**COINTELPRO**) working in concert with local police departments. These forces, led by FBI Director J. Edgar Hoover, targeted the Panthers for neutralization (incarceration, assassination or isolation) with an official reign of terror encompassing 1968-1973, until the Weather Underground raided FBI files and exposed its illegal operations.

Under the leadership of the late Sen. Frank Church, hearings were held resulting in the passage of the Freedom of Information Act of 1973, allowing individuals to obtain copies of their secret files. This prompted lawsuits against the government and others. For example, I was one of numerous plaintiffs in a wiretap lawsuit settled out of court in New Haven against the City, the FBI, the Chief of Police and the phone company. Today, that wouldn't be possible, because wiretapping is legal under the PATRIOT Act.

By 1969, 28 Panthers had been murdered by police and by 1973, at least 32 Panthers, including Field Marshall George Jackson, had been killed by so-called law enforcement. The most blatant was the premeditated assassination of Fred Hampton and Mark Clark in Chicago. A million-dollar civil lawsuit was won, thanks to Attorney Dennis Cunningham, but not one policeman who participated in the predawn deadly assault on the Panthers was ever even indicted.

Fast forward to 1985, when Philadelphia police bombed MOVE's home, killing six adults and five children of the Africa family: A lawsuit settlement but no indictments. To 1999, when New York police murdered innocent, unarmed Amadou Diallo with 41 shots. Not one conviction! To 2007, when three unarmed Black men were shot, Sean Bell fatally, in a hail of 50 police bullets. Only manslaughter charges. And we could go on and on documenting police murders of innocent Black folks, often with complete impunity, only paid suspensions (vacations) for the murderers and payoffs to grieving families.

COINTELPRO under Nixon has regrouped under Bush with Attorney General John Ashcroft's new, legal counterintelligence program, the PATRIOT Act, to begin anew the persecution of Panthers. In fact, before leaving office, Ashcroft sought to reopen all cases of police killings dating back to the '60s.

Who are the SF 8?

Collectively, the San Francisco 8 are a group of Black community activists who served the people in the BPP activities mentioned above. They are fathers, grandfathers and even great-grandfathers.

Richard Brown, 65, has worked for decades, right here in San Francisco's Fillmore District. "He was at community meetings at night, on boards, in the neighborhood, working for affordable housing. His job was never 9 to 5," said the Rev. Arnold Townsend, who has known Brown for 40 years. Employed for 20 years as a program coordinator at the Ella Hill Hutch Community Center, he's also a founding member of the African American Police Community Relations Board and several other neighborhood organizations. "He has a fantastic rapport with the young people," Jim Queen, a commissioner with the city's Juvenile Probation Department, told the *San Francisco Chronicle.* "He grew up there and had a special way with the kids, a stern tough-love way. He demanded high standards and made sure he was always available to them."

Likewise, the *Chronicle* noted that **Richard O'Neal**, 57, "who has two grown sons ... has worked for the past few years at the Southeast Community Center. People who work there said they were stunned by his arrest, recalling him as a kind and gentle man who always had a smile on his face and would at times stay late to fix lights or other things." Veronica Hunnicutt, the dean of the Southeast college campus, exclaimed, "Oh, my God, we're just utterly stunned. It's taken us all back because he is such a nice man. He is a trusted employee who would do anything to help us. I hope they look at all of the information, because this man has been wonderful out here. He would take the shirt off his back to try to help you." O'Neal has only been charged with "conspiracy."

Ray Boudreaux, 64, a Vietnam veteran who resided in Altadena, California, was employed for the past 25 years as an electrician for the County of Los Angeles and did community work until his arrest. "People come to me sometimes as a peacemaker. And all of that has to do with all of my experience."

Herman Bell, 59, of Mississippi, and **Jalil Muntaqim** (Anthony Bottom), 55, of San Francisco, joined the Party in the Bay Area, where they began their long service to the people. Captured in the early 1970s, along with Albert Nuh Washington and Gabriel and Francisco Torres, they were framed for the killing of two policemen in New York City in May 1971. I saw Jalil and Nuh in the San Francisco court when they were arraigned in 1971. In 2007, it's déjà vu!

Originally the NY 5, their first trial ended in a hung jury. In a second trial, the Torres brothers' charges were dismissed, but perjured and coerced testimony — including that of Ruben Scott, tortured in New Orleans — resulted in convictions of the remaining brothers, who got 25 to life and became known as the NY 3. The trial judge had refused to hear any testimony about **COINTELPRO** and its campaign to secure convictions by any means, including breaking laws. In April of 2000, after 29 years of incarceration, Nuh Washington passed away, ending a long battle with cancer.

Herman and Jalil have maintained close ties to their families here in the Bay. In 2000, Jalil was featured in an *Essence* magazine article on father-daughter relationships. Both continued to grow and contribute to society

Continued on page 17

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CCBPP Photo

Protesters demonstrate at San Francisco County jail on May 11, 2007 to demand freedom for the San Francisco 8, former BPP members and volunteers.

SF Panther 8 Support Grows

Continued from page 3

betterment and justice for low-income and minority communities. Supporters and fellow activists of the San Francisco 8 are now carrying on with the education campaign they started about the case and the overall political trend threatening us all. The story of the 1973 arrests and torture, as well as the 2005 Grand Jury is told in a DVD titled *Legacy of Torture,* produced by the Committee for Defense of Human Rights. This DVD was released in 2006, just prior to the January, 2007 arrests and imprisonment.

During an April 27 hearing for the San Francisco 8 at the San Francisco Courthouse, the courtroom was filled while more than 150 supporters rallied outside. The crowd included numerous family members and community activists who expressed their outrage and that the charges against these men are false. These men are well-known and respected community activists, who have been unjustly locked up as criminals.

The defendants were brought into court for this hearing in full body chains (including leg shackles) and handcuffs, and the defense brought a motion challenging the shackling. In argument for the shackles, the San Francisco County Sheriff produced maps of the courtroom, including back exits, an accompanying scenario of escape possibilities, and details of how to produce smoke bombs, and alleged that these belonged to the defendants. The defense argued that these materials were a set-up on the brothers, and were written by the police and were being distributed by the prosecution. The presiding judge, Judge Allyson Little, had these plans removed from the record and destroyed.

The defense team also challenged the criminal histories that the prosecution submitted on each of the defendants, as they were replete with false statements. Judge Little agreed to seal these alleged histories.

While Judge Little was expected to turn the case over to another judge, that process did not happen. The judge refused to turn it over until Herman Bell joins his co-defendants. The shackling motion made by the defendants, challenging their court appearances in full body chains and handcuffs, has yet to be heard.

For more information on the case, and to get a copy of the DVD Legacy of Torture, contact the Committee for Defense of Human Rights. Make checks payable to CDHR/Agape:

CDHR, PO Box 90221, Pasadena, CA 91109.

Ph: 415-226-1120

All Power to the People

Haiti Update

Continued from page 9

U.S., Canadian, Brazilian, French and UN occupation of Haiti.

In the February 2007 issue of *COMMEMORATOR,* Dave Welsh of the Haitian Action Committee, who also spoke at the March 3rd dedication to So An, wrote, "On September 30, 2006, thousands of democracy activists marched to the U.S. consulate in Port-au-Prince, demanding an end to this reign of terror."

Even in the midst of the Little Machete Army and other death squads/paramilitaries shooting organizers and activists at point blank range, So An and thousands of others have risen to the occasion and continue to promulgate the agendas of the poor, of women and thousands of political prisoners who are suffering unjust imprisonment.

At the event So An spoke about how, even as a prisoner in Haiti, she continued to struggle on behalf of the oppressed women in prison. She also pointed out that, "Sixty percent of the prisoners cannot read or write. So I got busy teaching them to read and write."

The Haitian elite and their foreign allies use illiteracy to control the poor and disenfranchise them. Lack of literacy skills sustains poverty and the wealth disparity in Haiti's poorest communities.

While So An used her knowledge and activism to inspire change through speech at the International Women's Month event in Oakland, she's also used music and vocals to illustrate soulfully and poetically the global implications of revolutionary struggle. In her song entitled, "Iraq stinks of Vietnam," she draws a connection between both of these struggles for self-determination and freedom from the shackles of American and Western imperialism and cultural hegemony.

The Commemoration Committee for the Black Panther Party also works in solidarity with local and international freedom struggles on behalf of working class and poor people. In the spirit of the forty-year-old legacy of education and progressive community action, embodied by the historic Black Panther Party, CCBPP is committed to promoting this legacy though the various programs we offer. Our Little Bobby Hutton Literacy program upholds literacy as a fundamental factor in bringing about social change on a community level as well as globally.

So An's prison literacy classes demonstrate her intimate knowledge of how activism and education work hand in hand with political change.

We believe that, by striving to connect the struggle of the poor and working class in America with those in Haiti and the oppressed people of the world, we may begin to collectively look at freedom on more specific terms. These terms force the globally oppressed to demand liberation from a common oppressor.

In the face of the repressive violent actions taken against the poor of Haiti, So An's work is a call for revolutionary change towards social and economic justice.

All Power to the People

Malcolm X

Continued from page 7

the upsurge on the part of the Black man in Africa against the power structure.

He Wants his Freedom

Now, mind you, the power structure is international, and as such, its own domestic base is in London, in Paris, in Washington, D.C., and so forth. And the outside or external phase of the revolution, which is manifest in the attitude and action of the Africans today, is troublesome enough. The revolution on the outside of the house, or the outside of the structure, is troublesome enough. But now the powers that be are beginning to see that this struggle on the outside by the Black man is affecting, infecting the Black man who is on the inside of that structure. I hope you understand what I'm trying to say.

All Power to the People

Persecuted Panthers

Continued from page 16

despite being locked up all these decades.

All Power to the People

They earned bachelor's and master's degrees, tutored and counseled prisoners, and worked with community activists outside to organize the Victory Gardens Project, the urban-rural connection to plant, harvest and distribute free food to various 'hoods along the East Coast. This life-giving project enjoyed eight successful seasons. Jalil is also the founder of the Jericho Movement to free political prisoners.

Harold Taylor, 58, was living in Panama City, Florida, where he remained committed to his principles and community. He had joined the Black Panther Party in Los Angeles. In a 2006 interview with Harold and JB on KPFA, Harold described how the FBI "used a lot of informants, agents and provocateurs to entrap people." In fact, the FBI had infiltrated 67 agents into the BPP and deployed 700 informants nationwide. "In 2003 the detectives that were responsible for my torture [in New Orleans] came to my house to try and question me. I have not been the same since," said Taylor.

Henry W. (Hank) Jones, 71, of Altadena, a responsible family and community elder, was employed as a real estate appraiser before his arrest. "I [have lived] under the constant threat of another ... incarceration. In essence I have been robbed of peace of mind, life, liberty and the pursuit of happiness," said Jones when in 2003 he was subpoenaed to testify before the grand jury and resisted.

Francisco Torres, 58, was born in Puerto Rico and raised in New York City. A Vietnam veteran, he's been an activist since his discharge from the military in 1969 in veterans' and community affairs and has worked with troubled youth right up until his recent arrest and extradition to San Francisco from Queens, N.Y.

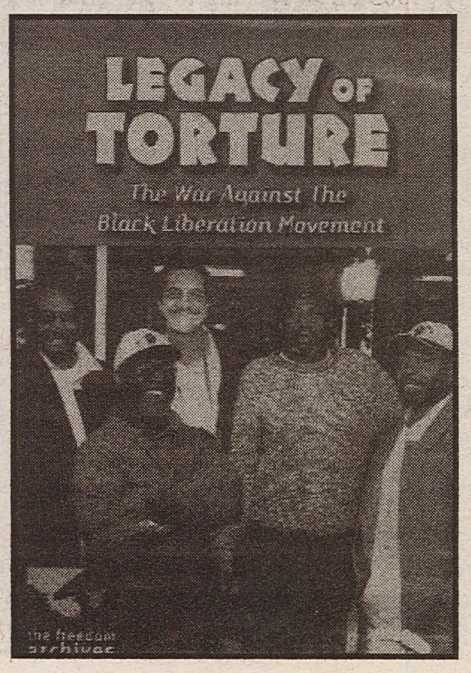
Six of these brothers are being kept in jail needlessly on bails of $3 million each — reduced from $5 million for equity! Where are all the wealthy Black entertainers and sports figures who claim to want to give back to their communities? Well, here's a golden opportunity for you to give back to our community activists! They present no risk of flight, they're highly respected members of their communities and they should be returned to their families as soon as possible. Equity in property can be used to secure release on bail without any permanent sacrifice of personal or community resources.

Hearings will be held in the next weeks to request a lowering of bail for these brothers, making it more realistic to secure their release during these lengthy "conspiracy" hearings. *(See update on page 3.)*

For more information on the SF 8 and how you can help, please go to www.CDHRsupport.org.

Free the SF 8, Mumia Abu-Jamal and all political prisoners.

All Power to the People



CCBPP STATEMENT OF PURPOSE

The Commemoration Committee for the Black Panther Party (CCBPP) is committed to the goals of the Black Panther Party (BPP) as outlined in its Ten-Point Program which was written in 1966 by Party founders, Dr. Huey P. Newton and Bobby Seale.

The Ten-Point Program outlines goals and objectives toward changing conditions of economic exploitation and political oppression in all low-income and working class communities in the U.S. and elsewhere, as the basis for unity and solidarity.

Also, the CCBPP is committed to the concept of Revolutionary Intercommunalism, introduced by Dr. Newton in 1970 at Boston College. Our Revolutionary Intercommunalism holds that there are basically two sides. On one side there is reactionary intercommunalism which presently holds the world's low-income and working communities under conditions of economic exploitation and political oppression by controlling the wealth, resources and institutions in order to maximize profits for the few. Huey identified this side as the leading reactionary side (the ruling class) which consists of a minority, fewer than five percent of the world population. Under these conditions, reactionary intercommunalism, by and large, keeps the poor and working communities on a cycle of degradation, under conditions of reaction, desperation and poverty, with no end in sight. Newton understood that in order to change these conditions and advance the economic and cultural interests of these oppressed communities of the world, disciplined organizations must be built from the bottom up, enabling these low-income and working communities to fight exploitation and oppression by any means necessary (this fight needs to start in the advanced industrialized U.S. because our nation leads the world in political reaction and economic exploitation). CCBPP advances and upholds the goals which the BPP outlined in its Ten-Point Program, and those goals are about ridding black ghettos and low-income and working communities of economic exploitation and political oppression, understanding that we can reach these goals only by seizing the time at the point of practice.

Black Panther Party Ten-Point Program

WHAT WE WANT, WHAT WE BELIEVE

1. WE WANT FREEDOM, WE WANT POWER TO DETERMINE THE DESTINY OF OUR BLACK AND OPPRESSED COMMUNITIES. We believe that Black and oppressed people will not be free until we are able to determine our destinies in our own communities ourselves, by fully controlling all the institutions that exist in our communities.

2. WE WANT FULL EMPLOYMENT FOR OUR PEOPLE. We believe that the federal government is responsible and obligated to give every person employment or a guaranteed income. We believe that if the American businessmen will not give full employment, then the technology and means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all its people and give a high standard of living.

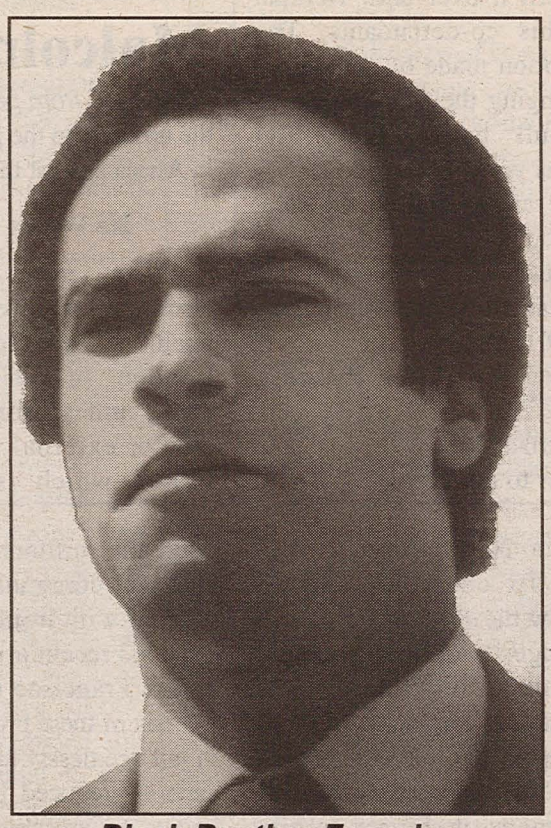
3. WE WANT AN END TO THE ROBBERY BY THE CAPITALIST OF OUR BLACK AND OPPRESSED COMMUNITIES. We believe that the racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules were promised 100 years ago as restitution for slave labor and mass murder of Black people. We will accept the payment in currency that will be distributed to our many communities. The American racist has taken part in the slaughter of over fifty million Black people. Therefore, we feel this is a modest demand that we make.

4. WE WANT DECENT HOUSING, FIT FOR THE SHELTER OF HUMAN BEINGS. We believe that if the landlords will not give decent housing to our Black and oppressed communities, then housing and the land should be made into cooperatives so that the people in our communities, with government aid, can build and make decent housing for the people.

5. WE WANT EDUCATION FOR OUR PEOPLE THAT EXPOSES THE TRUE NATURE OF THIS DECADENT AMERICAN SOCIETY. WE WANT EDUCATION THAT TEACHES US OUR TRUE HISTORY AND OUR ROLE IN THE PRESENT-DAY SOCIETY. We believe in an educational system that will give to our people a knowledge of self. If you do not have knowledge of yourself and your position in the society and the world, then you will have little chance to know anything else.

6. WE WANT COMPLETELY FREE HEALTH CARE FOR ALL BLACK AND OPPRESSED PEOPLE. We believe that the government must provide, free of charge, for the people, health facilities that will not only treat our illnesses, most of which have come about as a result of our oppression, but will also develop preventive medical programs to guarantee our future survival. We believe that mass health education and research programs must be developed to give all Black and oppressed people access to advanced scientific and medical information, so we may provide ourselves with proper medical attention and care.

7. WE WANT AN IMMEDIATE END TO POLICE BRUTALITY AND MURDER OF BLACK PEOPLE, OTHER PEOPLE OF COLOR, ALL OPPRESSED PEOPLE INSIDE THE UNITED STATES. We believe that the racist and fascist government of the United States uses its domestic enforcement agencies to carry out its program of oppression against Black people, other people of color, and poor people inside the United States. We believe it is our right, therefore, to defend ourselves against such armed forces and that all Black and oppressed people should be armed for self-defense of our homes and communities against these fascist police forces.



Black Panther Founder, Dr. Huey P. Newton

8. WE WANT AN IMMEDIATE END TO ALL WARS OF AGGRESSION. We believe that the various conflicts which exist around the world stem directly from the aggressive desires of the U. S. ruling circle and government to force its domination upon the oppressed people of the world. We believe that if the U. S. government or its lackeys do not cease these aggressive wars that it is the right of the people to defend themselves by any means necessary against their aggressors.

9. WE WANT FREEDOM FOR ALL BLACK AND POOR OPPRESSED PEOPLE NOW HELD IN U. S. FEDERAL, STATE, COUNTY, CITY, AND MILITARY PRISONS AND JAILS. WE WANT TRIALS BY A JURY OF PEERS FOR ALL PERSONS ARE CHARGED WITH SO-CALLED CRIMES UNDER THE LAWS OF THIS COUNTRY. We believe that the many Black and poor oppressed people now held in U. S. prisons and jails have not received fair and impartial trials under a racist and fascist judicial system and should be free from incarceration. We believe in the ultimate elimination of all wretched, inhuman penal institutions, because the masses of men and women imprisoned inside the United States or by the U. S. military are the victims of oppressive conditions that are the real cause of their imprisonment. We believe that when persons brought to trial that they must be guaranteed, by the United States, juries of their peers, attorneys of their choice and freedom from imprisonment while awaiting trials.

10. WE WANT LAND, BREAD, HOUSING, EDUCATION, CLOTHING, JUSTICE, PEACE AND PEOPLE'S COMMUNITY CONTROL OF MODERN TECHNOLOGY. When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to affect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpation, pursuing invariably the same object, evinces a design to reduce them under absolute despotism. It is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

This page is sponsored by ACT UP

AIDS in Africa: New Plague or Old Illnesses of Poverty?

Racist HIV Myth Hides Ruthless U.S. Exploitation.

Unlike in the United States, AIDS in Africa is most frequently diagnosed based on four very imprecise clinical symptoms—diarrhea, fever, persistent cough, and weight loss greater than 10% over two months. *HIV antibody tests are not required to diagnose a case of African AIDS.* These four clinical symptoms are identical to the problems created by conditions of poverty that have troubled Africa and other developing areas of the world for centuries. In fact, symptoms of the so-called African AIDS epidemic are indistinguishable from the effects of malnutrition, unsanitary drinking and bathing water, and common curable conditions like malaria, cholera, tuberculosis, and parasitic infections.

Rather than solve the problems of African poverty caused by centuries of ruthless Western exploitation, the U.S. government insists on broadcasting the doomsday notion that Africa is suddenly gripped by a deadly, spreading sexual plague. According to these American health authorities, salvation from sickness can only be found in profitable pills manufactured by the white West and exported to black Africa.

America's Racist HIV Myth

The idea that AIDS originated in Africa is a popular myth without any scientific or epidemiological evidence. News reports that blame AIDS on African green monkeys are based upon elaborate speculation about species-jumping viruses rather than reliable proof. Tall tales about the spread of AIDS are promoted through the most vulgar and racist sexual stereotypes about promiscuous African people.

Still, the numbers speak for themselves. According to the 1999 *WHO Global HIV/AIDS Report*, the total number of AIDS cases in Africa virtually equals the total number of cases in America even though Africa, with its 650 million citizens, has more than two times the population of the United States. Africa is often cited as a worst case example of what could happen in America despite figures demonstrating that 99.5% of Africans do not have AIDS, and among Africans who test HIV positive, 97% do not have AIDS.

The Truth About African AIDS:

- **HIV antibody tests are not required for an AIDS diagnosis in Africa.**
- **African AIDS is diagnosed by four very imprecise clinical symptoms:**
  - **— Diarrhea**
  - **— Fever**
  - **— Persistent cough**
  - **— Weight loss greater than 10% over two months**
- **Tuberculosis, malaria, and measles far outnumber cases of AIDS in Africa.**
- **AIDS is not the leading cause of illness or death in any African nation.**

While Africa is the frequent target of damaging AIDS media reports, the total number of cases on the continent is relatively small. For example, from 1981 through 1999 cumulative AIDS cases for South Africa, the area claimed hardest hit by HIV, were just 12,825.

Exporting Extermination: AIDS Pills Kill!

It is undeniable that experimental AIDS treatments like protease inhibitors and AZT are all highly toxic, dangerous products. Strokes, muscle wasting, anemia, physical deformities, dementia, birth defects, organ failure, and death are some of the "side effects" of these poisons. Thousands of gay men in the 1980s and 1990s died from AZT poisoning. Now the U.S. State Department has elevated AIDS to the level of a threat to national security in order to gain public support for exporting AZT to pregnant African women. Outspoken leaders like South African President Thabo Mbeki—hard pressed to explain why developing nations stricken with famine and civil chaos should spend what little money they have on toxic anti-HIV drugs while millions starve—are relentlessly attacked as unfit and crazy by racist Western media outlets.

We invite you to investigate the growing international controversy over the cause and treatment of AIDS for yourself. Clip and mail the coupon below for a free copy of the groundbreaking book *What If Everything You Thought You Knew About AIDS Was Wrong?* by AIDS survivor Christine Maggiore.

Fight the AID$ Fraud!

ACT UP San Francisco is the AIDS Coalition To Unleash Power—a militant, direct action organization committed to ending the AIDS fraud. General body meetings are held every Monday night at 7:30 p.m. at 1884 Market Street and our medical marijuana dispensary is open 12:00 to 7:00 p.m. Tuesday through Sunday. Get involved. Join ACT UP! End the abuse of AIDS.

Clip and mail the coupon below to receive a free copy of the book *What If Everything You Thought You Knew About AIDS Was Wrong?* or contact us for more information at www.actupsf.com!

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THE FIRST BOOK TO SHOW THE PROVOCATIVE POSTERS AND GROUNDBREAKING GRAPHICS OF THE BLACK PANTHER PARTY.

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—The New York Times **Book Review**

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